BEST COPY
AVAILABLE

United Nations S/2003/77

Security Council

Distr.: General
31 January 2003
English
Original: Spanish

Letter dated 20 January 2003 from the Permanent Representative of Colombia to the United Nations addressed to the President of the Security Council

I have the honour to transmit to you the assessment of the work of the Security Council during the month of December 2002 under the presidency of Colombia. Consultations were held with other members of the Security Council regarding the contents of this assessment, the text of which follows; however, preparation of the assessment was the sole responsibility of the President, and it should not be considered as representing the views of the Council.

I should be grateful if you would arrange to have this letter and the attached assessment (see annex) circulated as a document of the Security Council.

(*Signed*) Luis Guillermo **Giraldo**
Ambassador
Permanent Representative

02-75903 (E) 040203 050203

Annex to the letter dated 20 January 2003 from the Permanent Representative of Colombia to the United Nations addressed to the President of the Security Council

[Original: Spanish]

Assessment of the work of the Security Council during the Presidency of Colombia (December 2002)

Introduction

During the month of December 2002, under the presidency of Colombia, the Security Council considered a range of topics of relevance to international peace and security in Africa, Asia, Europe and the Middle East. It also considered a thematic agenda which included the protection of civilians in armed conflict and food insecurity in Africa as a threat to international peace and security. In addition to a wrap-up session, a public meeting was held for the presentation of reports by the chairmen of sanctions committees and working groups whose terms on the Council were ending. The Minister for Foreign Affairs of Colombia, Carolina Barco Isakson, presided at the public meeting of the Security Council, held on 10 December, on the protection of civilians in armed conflict.

The purpose of the present report is to present a general account of the activities of the Council during December 2002. The report is divided into five sections: monthly summary; objectives proposed by Colombia; the situation in Africa, Asia and Europe; thematic issues; and concluding observations.

Monthly summary

As the following information indicates, the Council's workload during the month of December was among the heaviest of the year:

(a) Thirty-two formal meetings;

(b) Twenty-one meetings for informal consultations;

(c) Adoption of ten resolutions (see appendix);

(d) Adoption of ten presidential statements (ibid.);

(e) Eleven press communiqués (ibid.).

Objectives proposed by Colombia

In addition to the work that the Security Council was to deal with during December, Colombia set four general objectives during its presidency.

The first objective was to provide opportunities to reflect on the work done by the Security Council during the 2001-2002 term of the five outgoing non-permanent members of the Council. This objective was met by the holding of a special event with the ambassadors of the States members of the Council, the general content of which is described in the present report, and a final wrap-up session for which terms

of reference had been established for the purpose of reviewing the work done in 2002 and setting priorities for 2003.

The second objective involved the presentation, for the first time in an open meeting, of the final reports relating to the special responsibilities assumed by the outgoing members whose terms ended in December 2002 (Ireland, Mauritius, Norway, Singapore and Colombia). Those responsibilities included the chairmanships of the sanctions committees established pursuant to resolutions 661 (1990), 864 (1993), 1267 (1999) and 1343 (2001) and the chairmanships of the Ad Hoc Working Group on Conflict Prevention and Resolution in Africa and the Working Group on Peacekeeping Operations.

The third objective was to give special consideration to the report of the Secretary-General on the protection of civilians in armed conflict (S/2002/1300). The importance of the issue called for special attention, which Colombia sought to provide in the form of an open meeting and a substantive presidential statement that sets the pattern for the Council's work in the coming years.

Lastly, the fourth objective was to highlight the seriousness of the food crisis in Africa as a threat to international peace and security by means of a specialized briefing by the Executive Director of the World Food Programme. The accomplishment of those objectives is described in the relevant sections of the present report.

The situation in Africa, Asia and Europe

The Security Council dealt actively with the specific situations under consideration. This section presents a narrative of developments.

Africa

Angola

On 9 December, in informal consultations, the United Kingdom of Great Britain and Northern Ireland submitted a draft resolution to the Security Council which would lift all sanctions still in effect against UNITA. The text made reference to the declaration by the Joint Commission on the Peace Process in Angola issued on 20 November, which stated that the main tasks of the peace process had been concluded, and recommended the lifting of sanctions. The Permanent Representative of Ireland, in his capacity as Chairman of the committee on sanctions against Angola, made some comments on the conclusion of the Committee's work and thanked the members of the Council and the Secretariat for the manner in which they had performed their duties. The draft was adopted as resolution 1448 (2002).

On 17 December, the Special Representative of the Secretary-General for Angola, Ibrahim Gambari, presented the interim report of the Secretary-General on developments in the situation in recent months and the activities of the United Nations Mission in Angola since its establishment (see S/2002/1353). In his statement, the Special Representative touched on such topics as capacity-building in the areas of human rights and disarmament, demobilization, reintegration and resettlement; the strategic priorities which would guide the next phases of the process towards ending the war; the completion of the work of the Joint

Commission; the critical humanitarian situation and the role of the United Nations in consolidating peace. After listening to the presentation in an open meeting, the Council continued its consideration of the report in informal consultations.

Burundi

At the request of South Africa, the Council held an open meeting on 4 December to hear a presentation by the Deputy President of South Africa, Jacob Zuma, in his capacity as Facilitator of the Burundi peace process. In his presentation, Deputy President Zuma spoke of the progress made in the Burundi peace process and United Nations support for the regional initiative for Burundi. He noted that the ceasefire agreement concluded in Arusha on 2 December between the Government and the largest armed group, Forces for the Defence of Democracy (FDD), which was to take effect on 30 December, would be monitored by an African peace mission, stressed that the marginalization of the National Liberation Forces (FNL) from the ceasefire agreement could have consequences for the region and highlighted the need for the Council to give active political, logistical and technical support to regional processes in Africa, in keeping with Chapter VIII of the Charter.

The members of the Council took the opportunity to recognize the efforts made by the Government of South Africa to facilitate the Burundi peace process, welcoming in particular the partial ceasefire agreement of 2 December. They drew attention to the progress achieved as well as to future challenges, which included the urgent need to maintain pressure on FNL, to ensure that the donor community fulfilled its promises of financial assistance, and to guarantee that disarmament and the reintegration of former combatants was carried out.

On 12 December, in informal consultations, the Special Representative of the Secretary-General for Burundi, Berhanu Dinka, presented the latest report of the Secretary-General on the situation in Burundi (S/2002/1259) and updated the Council members on developments in the peace process. The Special Representative noted the progress achieved by the Transitional Government in implementing the provisions of the Arusha Agreement and described some of the problems faced by the Government in the adoption of the relevant legislative framework, the establishment of a Truth and Reconciliation Commission and the reform of the security structures. With respect to the peace process, the Special Representative cited the signing of two ceasefire agreements, the first on 7 October and the second in December, which included FDD and excluded FNL. The Special Representative ended his presentation with a discussion of the major challenges to the peace process, in particular ensuring the participation of FNL. The members of the Council discussed various aspects of his presentation, noted the contribution of the recently concluded ceasefire agreement to the peace process as a whole and expressed concern about the fragility of the process and the need to ensure its long-term political viability.

The delegation of France proposed a draft presidential statement to be considered at the expert level. That statement, inter alia, welcomed the conclusion of a ceasefire agreement between the Government of Burundi and FDD, and called on FNL to become a party to that agreement. On 18 December the text was adopted (S/PRST/2002/40).

Côte d'Ivoire

On 12 December, under "Other matters", the President of the Security Council informed the Council of the meeting he had held that day with the Permanent Representative of Côte d'Ivoire, during which the latter had expressed his desire for the international community, and the Security Council in particular, to play a more active role in the current crisis caused by the rebels in the north of the country. Some Council members reported on current political efforts to bring the parties together and the security initiatives to stabilize the situation on the ground.

On 19 December, in informal consultations, the President of the Council reported on a second meeting with the Permanent Representative of Côte d'Ivoire and on the support that had been provided to stabilize the situation in his country, which the Economic Community of West African States (ECOWAS), meeting in an extraordinary summit, had requested of the United Nations in a communiqué issued at Lomé the day before. The communiqué was circulated to Council members at the request of Senegal, current Chairman of ECOWAS (S/2002/1386, annex).

On 20 December, in informal consultations, the Assistant Secretary-General for Political Affairs, Tuliameni Kalomoh, briefed the Council on developments in the recent crisis in Côte d'Ivoire, giving details of the peace negotiations conducted in Lomé between the Government and the principal armed group, the Patriotic Movement of Côte d'Ivoire. At the request of Senegal, as head of ECOWAS, he also discussed the security situation, especially in the western part of the country; the humanitarian and human rights consequences of the military clashes; and the potential repercussions of the international community's inaction for the economic and political stability of the subregion.

The members of the Council unanimously acknowledged the gravity of the situation, both within Côte d'Ivoire and in the subregion. They also agreed on the need to offer their support to the ECOWAS leadership in managing the crisis with a view to finding a political solution, and they welcomed the Dakar declaration. The French delegation reported to the members of the Council on the ceasefire-monitoring activities its troops were carrying out and stated that French troops would be withdrawn once the ECOWAS intervention force had been deployed. It submitted a draft presidential statement incorporating the main points of the discussion and confirmed that the Permanent Representatives of Côte d'Ivoire and Senegal had been consulted in advance. In view of the urgent need for swift action, given the magnitude of the crisis, the members of the Council considered the text that day at the expert level and proceeded to adopt it immediately (S/PRST/2002/42).

Guinea-Bissau

In informal consultations held on 18 December, the Representative of the Secretary-General and Director of the United Nations Peace-building Support Office in Guinea-Bissau, David Stephen, submitted the thirteenth report of the Secretary-General (S/2002/1367) on the major developments in the country during the previous six months. The presentation by the Representative of the Secretary-General covered political, socio-economic and constitutional developments in Guinea-Bissau. He said that, although the overall situation had remained quiet and the absence of armed opposition groups was a positive sign, the profound political tensions and the precarious socio-economic situation were matters of deep concern.

He explained that political instability had arisen as a result of the difficulties in promulgating the Constitution, the delay in elections for Supreme Court magistrates and uncertainty about the legislative elections planned for February 2003. His presentation was supplemented by a detailed statement by the Permanent Representative of Mauritius on his visit to Guinea-Bissau as a member of the Economic and Social Council mission, in his capacity as Chairman of the Security Council Ad Hoc Working Group on Conflict Prevention and Resolution in Africa. Council members took note of the cooperation between the Security Council and the Economic and Social Council and raised various topics that were later included in a press statement read out by the President after the meeting (see appendix). The mandate of the United Nations Peace-building Support Office in Guinea-Bissau was recently extended through December 2003.

Liberia

On 12 December, under "Other matters", the delegation of Mexico informed Council members that negotiations at the expert level on the draft presidential statement on Liberia had been concluded. The presidential statement was formally adopted by the Council on 13 December (S/PRST/2002/36). In that document, the Council proposed cooperation with the international community in a comprehensive strategy to reach a ceasefire, resolve the internal conflict and establish an inclusive peace process; promote peace and national reconciliation and develop a stable and democratic political process; address humanitarian issues; combat the illicit flow of weapons into the country; and guarantee human rights.

Such a strategy will be based on two fundamental principles. First, it must have the input of key regional actors and be part of a comprehensive approach to building an integrated system of regional peace and security. Second, peace and security in the Mano River Union region required the President of Liberia to engage constructively with the international community in working to achieve national reconciliation and political reform in Liberia.

Central African Republic

On 9 December, two successive closed meetings were held to respond to requests by the Prime Minister of the Central African Republic, Martin Ziguélé, and the Permanent Representative of Chad to address the Council. In their individual statements, both speakers gave their perspective on the events surrounding the attempted coup d'état against President Patassé on 25 October. The Council focused its efforts constructively and entered into a separate dialogue with each of the representatives. Council members took great care to contribute to the strengthening of relations between Chad and the Central African Republic. Accordingly, they requested the President to issue a statement to the press encouraging the parties to reach a political solution to the crisis (see appendix).

Democratic Republic of the Congo

On 4 December, in informal consultations, the delegation of France informed the Council that agreement had been reached at the expert level on a draft resolution, originally submitted to the Council at the end of October, whereby the basic force of the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC) would be increased. The members of the Council expressed

their readiness to adopt the text that day as resolution 1445 (2002). The resolution gave effect to the recommendations made by the Secretary-General in a report submitted to the Council in September 2002 (S/2002/1005) concerning the operational aspects of MONUC in phase III of its mandate and authorized an increase in the Mission's military strength to 8,700.

On 13 December, in informal consultations, the Under-Secretary-General for Peacekeeping Operations, Jean-Marie Guéhenno, updated the Council on the peace process in the Democratic Republic of the Congo, the management of MONUC and the overall situation prevailing in the country. Among other aspects, the Under-Secretary-General mentioned the resumption of the inter-Congolese dialogue on 15 November 2002; the progressive evolution in the implementation of the Pretoria Agreement and MONUC participation in monitoring that process; the security situation in the eastern provinces in particular; the humanitarian and human rights situation; the disarmament, demobilization repatriation, reintegration and resettlement programmes, and the execution of phase III of the Mission. Various members of the Council took part in an exchange of views on the situation and referred to specific points raised in the briefing. In particular, members of the Council expressed caution regarding progress in the inter-Congolese dialogue and identified tasks that were the responsibility of MONUC. Some delegations expressed concern at alleged military support from the Libyan Arab Jamahiriya to the Mouvement de libération du Congo. The Under-Secretary-General said that the situation would be carefully evaluated in cooperation with the United Nations Office in the Central African Republic and a report would be submitted to the Council subsequently.

In informal consultations on 18 December, under "Other matters", the Assistant Secretary-General for Political Affairs briefed Council members on the conclusion of a comprehensive peace agreement between the Government of the Democratic Republic of the Congo and the major armed opposition groups and movements on 17 December in Pretoria. He noted the mediation efforts undertaken by the Special Envoy of the Secretary-General for the inter-Congolese dialogue, Moustapha Niasse, and the Government of South Africa. After hearing details of the agreement reached and learning of its political importance for national reconciliation in the Democratic Republic of the Congo, the members of the Council recognized it as a fundamental step forward in the search for a solution to the conflict in that country and re-establishing stability in the Great Lakes region. A press statement was agreed which summarized the main points of the discussion (see appendix).

On 24 December, a representative of the Africa Division of the Department of Peacekeeping Operations, Dmitri Titov, reported to the members of the Council on recent developments in the security situation in the north-eastern region of the Democratic Republic of the Congo, where various armed groups had clashed over control of territory, endangering the prospects for the peace agreement signed the previous week. MONUC was focusing its efforts on establishing contacts between the parties in order to reach an agreement on the cessation of hostilities. Council members expressed their concern at the critical humanitarian impact and grave political repercussions for the implementation of the Pretoria Agreement caused by the resurgence of violence in the north-east of the Democratic Republic of the Congo. There was a unanimous desire to send the parties a clear and firm message

urging them to end the hostilities; to that end, the text of a statement to the press was agreed (see appendix).

Sierra Leone

During informal consultations held on 4 December, the Council discussed the extension of the diamond ban in Sierra Leone and the overall question of the sanctions imposed under resolution 1306 (2000). It considered the current situation in Sierra Leone and the extent of the Government's authority in the diamond-producing regions. The discussion began with a statement by the Permanent Representative of Mexico, who, in his capacity as Chairman of the Security Council Committee established pursuant to resolution 1132 (1997), presented the Committee's conclusions on the Fourth Review of the Certificate of Origin Scheme for trade in diamonds (see S/2002/826), which had been submitted by the Government of Sierra Leone on 25 July 2002. On the basis of those conclusions, the United Kingdom had prepared a draft resolution extending the diamond ban for a six-month period; that time period had been agreed by the Government of Sierra Leone. Accordingly, on 4 December 2002, the diamond ban was extended until 5 June 2003 under resolution 1446 (2002). During that extension, the Council would continue its regular consideration of the travel ban and arms embargo components of the Sierra Leone sanctions regime.

Somalia

On 12 December, the President of the Council issued a presidential statement (S/PRST/2002/35) on the national reconciliation process in Somalia and, in particular, on the holding of the Somalia National Reconciliation Conference in Eldoret, Kenya, which had ended on 2 December 2002. The text of the statement had been fully discussed at the expert level under the coordination of the delegation of Norway and had been agreed in informal consultations held on 12 December. The statement welcomed the cessation of hostilities agreed by participants in the Conference; commended the Kenyan Government and the Intergovernmental Authority on Development for facilitating the event; drew attention to the humanitarian situation; reiterated the importance of observing the arms embargo imposed by the Council; and proposed the establishment of a post-conflict peace-building mission once security conditions permitted.

Asia

Afghanistan

On 6 December, the presidency circulated a draft presidential statement commemorating the first anniversary of the Bonn Agreement. Although the majority of Council members supported its adoption as a presidential statement, consensus proved impossible, and a statement to the press was issued instead (see appendix).

In a public meeting held on 13 December, the Assistant Secretary-General for Peacekeeping Operations, Hédi Annabi, briefed the Council on developments in the situation in Afghanistan since 30 October. The briefing reflected the transfer of responsibility for that matter from the Department of Political Affairs to the Department of Peacekeeping Operations. In his report, the Assistant Secretary-General gave a full account of the reconstruction process in Afghanistan and

outlined the primary elements thereof, including the results of the Petersburg Conference held in Germany on 2 December 2002 in commemoration of the first anniversary of the Bonn Agreement; building a national army and national police that were effective and ethnically balanced; combating drug trafficking; and international assistance in meeting the need for reconstruction and State-building through the adoption of a new constitution and the holding of elections in 2004. The Assistant Secretary-General mentioned many of the challenges facing the United Nations Assistance Mission in Afghanistan (UNAMA) under its mandate in the areas of human rights, the national development plan for the next 15 months, the establishment of an electoral commission and launching of the first stages of disarmament, demobilization and reintegration programmes.

The members of the Council held a debate at which the main issues raised by the Assistant Secretary-General were considered, including the conclusions of a meeting held on 11 December using the Arria formula; the possibility of establishing a United Nations peacekeeping mission; the results of the Petersburg Conference; the UNAMA strategy for combating the production and trafficking of narcotic drugs; the importance of sustained assistance from the international community; and building the armed forces of Afghanistan. One delegation proposed that the Council should send a mission to Afghanistan in 2003.

On 24 December, the Council adopted resolution 1453 (2002), in which it welcomed and endorsed the Kabul Declaration on Good-Neighbourly Relations signed by Afghanistan and its six neighbouring States in Kabul on 22 December 2002.

Iraq (oil-for-food programme)

On 3 and 4 December, the Council discussed the renewal of the oil-for-food programme. Under the most recent technical extension, authorized in resolution 1443 (2002), the programme would expire at midnight on 4 December 2002.

The first such discussion was held in informal consultations on 3 December at the request of the Russian Federation. The delegation of the United States of America proposed the adoption of another technical resolution extending the programme for 18 days in order to give Council members time to consider the proposed adjustments to the Goods Review List. During the informal consultations held that day, it became clear that there was no consensus among Council members on that proposal or on the United Kingdom's earlier proposal that the oil-for-food programme should be renewed for a period of 180 days.

On 4 December, the discussion was taken up again in two stages. During the first stage, which took place during the morning, the discussion focused on a draft resolution submitted by the United States and issued in provisional form, which proposed another technical extension of phase XII of the humanitarian programme until 18 December 2002 in order to give interested delegations time to submit proposed adjustments to the Goods Review List and the relevant procedures. Various delegations said that they would support that wording, provided it was guaranteed that the oil-for-food programme would be renewed for a further six months at the end of the time period specified.

In the second stage, which took place in the afternoon, the discussion turned to the initial draft resolution submitted by the United Kingdom in November 2002. The

United States delegation proposed some amendments, which were discussed by Council members. At the close of the meeting, a consensus was reached and resolution 1447 (2002) was adopted unanimously, extending the programme for 180 days and setting out a commitment to consider adjustments to the Goods Review List and its procedures no later than 30 days from the adoption of the resolution.

On 20 December, in informal consultations, the United States delegation announced that the draft resolution on the revision of the Goods Review List and its procedures would be issued in provisional form that same day with a view to adopting the text as soon as possible. On 30 December, informal consultations were held with a view to adopting the text, which was adopted as resolution 1454 (2002).

Iraq (United Nations Monitoring, Verification and Inspection Commission)

On 6 December, the Executive Chairman of the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC), Hans Blix, submitted his eleventh quarterly report on the work of UNMOVIC to the Security Council, in accordance with paragraph 12 of resolution 1284 (1999). The discussion was divided into two parts: consideration of the report and discussion of the declaration which the Government of Iraq was required to submit by 8 December under resolution 1441 (2002).

In presenting his report, the Executive Chairman gave a preliminary account of UNMOVIC activities since the team of inspectors resumed its work 17 days after the adoption of resolution 1441 (2002). He spoke, inter alia, of the human resources, infrastructure and equipment available for carrying out inspections; preparations for the opening of an office in Mosul; inspections carried out thus far; relations with the Iraqi Government; the handling of the media; and inspector training programmes. The Executive Chairman confirmed that the inspectors had made unimpeded progress in their work and expressed his satisfaction that the Iraqi authorities had allowed them rapid and immediate access. Council members expressed their satisfaction at the promptness and efficiency with which inspection activities had been resumed and expressed their support for UNMOVIC and its Executive Chairman.

The discussion concerning the declaration by Iraq centred on two topics: the logistical procedure for receiving the declaration, and its circulation to Council members. The Executive Chairman provided some input to the discussion and said that the declaration might contain sensitive information on proliferation issues. At the close of the meeting, the Council agreed that UNMOVIC should be the depositary of the copy addressed to the Security Council and requested UNMOVIC and the International Atomic Energy Agency (IAEA) to make a preliminary assessment of its content in order to separate the sensitive material and to produce a working document to be distributed to Council members. It was also agreed that the President would announce the decision in a press release (see appendix).

On 8 December, at the request of some Council members and after consulting with all members of the Security Council, the presidency decided to allow access to the Iraqi declaration by those members with the expertise to assess the risks of proliferation and other sensitive information in order to begin its immediate review. This review will be in close coordination and consultation with UNMOVIC and IAEA, and will assist them in preparing a working version of the declaration as soon as possible. The presidency received the declaration through UNMOVIC and

requested its Executive Director, Hans Blix, to make it available to the Council members previously defined. The exact wording of the Council President's decision was contained in a press release (see appendix). In informal consultations on 9 December, the Council President confirmed his decision of 8 December regarding circulation of the declaration submitted by Iraq to the Security Council. Council members reaffirmed their support for the President's decision, with the exception of the delegation of the Syrian Arab Republic, which made a statement dissociating itself from the President's decision. The President took note of that delegation's views.

On 16 December, in informal consultations, under "Other matters", the President shared with Council members information provided by the Executive Chairman of UNMOVIC and the New York representative of IAEA. The President announced that, on the basis of the briefing by those officials, a working version of the Iraqi declaration would be available to Council members at the end of the day on 17 December and clarified that informal consultations on 19 December with the Executive Chairman of UMMOVIC and the Director-General of IAEA, Mohamed ElBaradei, would help to prepare Council members to read the Iraqi declaration. An in-depth discussion on the declaration could be scheduled for mid-January 2003.

In informal consultations held on 19 December, the Executive Chairman of UNMOVIC and the Director-General of IAEA provided the Council with details of the current inspection process and offered a preliminary analysis of the Iraqi declaration, in accordance with paragraph 3 of resolution 1441 (2002). At the President's request, the texts of both briefings were circulated informally to Council members. The Executive Chairman highlighted a number of specific aspects of the inspections, including the inspectors' activities, the sites inspected and cooperation obtained from the Iraqi authorities.

With regard to the declaration, the Executive Chairman of UNMOVIC said that it was incomplete and incoherent in places, and he cited a number of examples to substantiate that preliminary assessment. The Director-General of IAEA, for his part, explained the criteria utilized to select and delete sensitive information from the Iraqi declaration. Some Council members participated in the debate. Some Council members who had received a copy of the entire Iraqi declaration made preliminary comments, giving their own assessments of the declaration. The delegation of the Syrian Arab Republic said that it would not take part in the decision or conclusions to be adopted by the Council, as it had not had access to the full text of the Iraqi declaration. Other members who had received the edited working version of the declaration a few days earlier said that they were in the process of evaluating it. At the close of the meeting, a statement to the press was agreed which reflected the exchange of views, including the decision that the Executive Chairman of UNMOVIC and the Director-General of IAEA should provide updated information to the Council in January and the Council's desire to be briefed by them more often (see appendix).

Iraq-Kuwait

In informal consultations held on 18 December, the High-level Coordinator of the Secretary-General, Yuli M. Vorontsov, submitted to Security Council members the tenth report of the Secretary-General on the repatriation and return of Kuwaiti and third-country nationals and the return of Kuwaiti property (S/2002/1349). The

High-level Coordinator spoke of Iraq's attitude towards fulfilling its obligations to return property to Kuwait and said that that process had not been completed and that no tangible progress had been made in repatriating Kuwaiti and third-country nationals. However, he drew attention to the invitation issued to him by the Iraqi Government to visit Baghdad and the Iraqi Government's decision to resume its participation in the Technical Subcommittee of the Tripartite Commission coordinated by the International Committee of the Red Cross. Council members discussed the subjects raised by the High-level Coordinator and agreed to request the President to issue a statement to the press on the basis of a text summarizing the discussion (see appendix).

Middle East (United Nations Disengagement Observer Force)

On 17 December, in a closed meeting in which troop-contributing countries participated, the Assistant Secretary-General for Peacekeeping Operations introduced the report of the Secretary-General on the activities of the United Nations Disengagement Observer Force (UNDOF) over the preceding six months (S/2002/1328). At the close of the meeting, Council members, meeting informally, exchanged comments on the report and voiced their unanimous support for the Secretary-General's recommendation to renew the mandate of UNDOF for six months. At the end of that exchange of views, the President submitted for consideration by the Council a draft resolution renewing the mandate for that period, which was adopted unanimously that same day as resolution 1451 (2002). The President also submitted a draft presidential statement describing the situation, which was adopted the same day (S/PRST/2002/37).

The situation in the Middle East, including the Palestinian question

In a public meeting on 16 December, the Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General to the Palestine Liberation Organization and the Palestinian Authority, Terje Roed-Larsen, briefed the Council on developments in the peace process since the previous briefing on 12 November. The Special Coordinator referred to escalating violence (stressing the death of three United Nations civil servants); the security situation; humanitarian and economic conditions; the activities of the "quartet" and the status of the road map it had outlined; and the situation in Lebanon, including the systematic violations of airspace over the southern part of the country and the Blue Line. Council members discussed the briefing in informal consultations immediately following the public meeting. Their discussion revolved around the topics raised by the Special Coordinator and included a number of references to the ministerial meeting of the "quartet" scheduled for 20 December 2002 in Washington, D.C. The death of United Nations personnel in the occupied territories came up repeatedly in the discussion. During the meeting, the Syrian Arab Republic circulated a draft resolution on behalf of the Group of Arab States for consideration by Council members.

On 19 December, in informal consultations, the delegation of the Syrian Arab Republic indicated that the draft resolution on Israeli attacks against United Nations personnel was ready to be put to a vote. Some delegations said that they still had no instructions from their capitals with regard to such a vote.

In informal consultations held on 20 December, the Syrian delegation, under "Other matters", called for a vote on the draft resolution submitted on behalf of the Group of Arab States. The delegation of the United States of America said that it was not prepared to support the text and submitted an alternative text to Council members. Some members expressed their willingness to allow additional time in order to arrive at a text acceptable to all 15 Council members. After a brief discussion, the Syrian Arab Republic reiterated its desire to put the text to a vote immediately, and the President decided to proceed in accordance with that request. There were 12 votes in favour of the draft resolution, two abstentions (Bulgaria and Cameroon) and one vote against, by the United States. The text could not be adopted, as a permanent member had voted against it. The United States spoke in explanation of vote before the vote. After the vote, Norway, Bulgaria, France and the Syrian Arab Republic also spoke in explanation of vote. Israel and the Permanent Observer of Palestine also made statements.

Timor-Leste

On 4 December, in informal consultations, the Assistant Secretary-General for Peacekeeping Operations provided Council members with a preliminary account of events that had triggered instability in the interior of Timor-Leste. In his report he said that violent protests, mainly by students, had erupted the day before, seriously disturbing the public order. After providing a few additional details on the targets of the attacks, the Assistant Secretary-General explained that, in responding, the troops of the United Nations Mission of Support in East Timor (UNMISET) and the authorities in Dili had sought to restore normalcy by protecting government buildings and Parliament. The incident aroused concern among Council members, who had been used to hearing good news from Timor-Leste. The Council President issued a statement to the press (see appendix).

In informal consultations on 13 December, under "Other matters", the Assistant Secretary-General for Peacekeeping Operations briefed Council members on the latest developments in Timor-Leste in the wake of the incidents of the previous days. He reported that calm had been restored, noted the support provided by the UNMISET security forces in resolving the crisis and their full cooperation with the Government of Timor-Leste, and outlined suggestions for avoiding a possible recurrence of such incidents. Some delegations warned that the phases of the UNMISET reduction would have to be carefully considered in the light of recent events.

Europe

Bosnia and Herzegovina

On 12 December, a public meeting was held to commemorate in advance the successful completion of the United Nations Mission in Bosnia and Herzegovina (UNMIBH) on 31 December 2002. The meeting format was simple and innovative, consisting only of statements by the Secretary-General, the Special Representative of the Secretary-General and Coordinator of the United Nations Operations in Bosnia and Herzegovina, Jacques Paul Klein, and members of the Presidency of Bosnia and Herzegovina, and, in addition, the reading out by the Council President of a presidential statement the content of which had been agreed in informal consultations earlier that day.

The Secretary-General, in his statement, spoke of UNMIBH and the United Nations Mission of Observers in Prevlaka (UNMOP) and highlighted the successful conclusion of both peacekeeping missions and their respective achievements, taking into account the complexity of their objectives. The Special Representative went on to stress the accomplishments of the programme to reform and restructure the police, described the outlook for Bosnia and Herzegovina in terms of institutional strengthening, economic and social reform, the establishment of the rule of law and, in general, the consolidation of a modern State eligible to join the European Union. Lastly, the three representatives of the Presidency of Bosnia and Herzegovina affirmed their commitment to assuming political responsibility after the Mission's withdrawal, but stressed the need for continued United Nations support to resolve the refugee question. In a presidential statement (S/PRST/2002/33), the Council, inter alia, expressed its political support for the full implementation of the Dayton Peace Agreement, welcomed the deployment of the European Union Police Mission from January 2003 and decided to keep the situation under review.

Cyprus

In informal consultations held on 18 December, with the Secretary-General present, the Special Adviser to the Secretary-General on Cyprus, Alvaro de Soto, gave a briefing on negotiations between the parties in Cyprus since the presentation of the peace plan on 11 November. The Special Adviser said, inter alia, that 28 February 2003 had been set as the deadline for reaching a final agreement. Council members reaffirmed their appreciation for the good offices of the Secretary-General and his Special Adviser and encouraged the parties to reach a final peace agreement. At the close of the meeting, agreement was reached on the content of a statement to the press, which was issued by the President, concerning the Council's reaction to recent political events (see appendix).

Croatia

On 12 December, a public meeting was held to commemorate in advance the successful conclusion of UNMOP on 15 December 2002. The meeting, similar in format to that held on Bosnia and Herzegovina, included only a presentation by the Under-Secretary-General for Peacekeeping Operations and the reading out by the Council President of a presidential statement agreed in informal consultations earlier that day. The Under-Secretary-General highlighted the Mission's contribution to the demilitarization of the Prevlaka peninsula and its importance to the viability of the peace process which had led to the signing of the protocol between the Federal Republic of Yugoslavia and Croatia on 10 December establishing a provisional cross-border regime. In the presidential statement (S/PRST/2002/34) the Council welcomed the signing of the protocol and encouraged the continuation of negotiations to reach a final settlement of the conflict.

Georgia

During informal consultations on 9 December, the Under-Secretary-General for Peacekeeping Operations informed the Council of the outcome of his visit to the region the previous month. The Special Representative of the Secretary-General, Heidi Tagliavini, also took part in the consultations. The Special Representative discussed the activities of the United Nations Observer Mission in Georgia (UNOMIG) and briefed the Council on developments in the peace process since the

Secretary-General had submitted his previous report in October 2002 (S/2002/1141). She drew attention to the main obstacles to the current phase of the peace process, including the security conditions in the zone under UNOMIG authority, and the implications of the replacement of the de facto Abkhaz Prime Minister. Topics covered by the Under-Secretary-General included his meetings with the President of Georgia and the de facto Abkhaz authorities, the validity of the so-called Boden document and his meetings with high-level representatives of the Government of the Russian Federation. Council members took note of this information with some concern and reiterated that the negotiating process must be reactivated on the basis of the Boden document as a matter of urgency.

Kosovo, Federal Republic of Yugoslavia

On 9 December, in informal consultations, the Permanent Representative of Norway, in his capacity as head of the Security Council mission to Kosovo, Federal Republic of Yugoslavia, scheduled for 13 December, outlined the terms of reference and programme of work. Members of the Secretariat and the security services presented some of the logistical aspects of the mission.

On 19 December the Council, in informal consultations, considered the follow-up to be given to the presentation of the report on the mission, which had ended on 17 December. It was agreed that follow-up would have three phases, in accordance with a proposal submitted by the President: first, a public presentation by the Permanent Representative of Norway, as head of the mission, following the informal consultations; secondly, a public meeting to consider the outcome of the mission and the forthcoming report of the Secretary-General; and, thirdly, a review of possible outcomes of the foregoing.

On the same day, the Permanent Representative of Norway, in his capacity as head of the mission, presented his report, which was issued as document S/2002/1376. His presentation touched on such matters as the objective of support for the implementation of Council resolution 1244 (1999) and the results of the consultations held with the Special Representative of the Secretary-General, Michael Steiner, the authorities of the Provisional Institutions of Self-Government and representatives of civil society.

Thematic issues

Protection of civilians in armed conflicts

On 10 December a public debate was held on the protection of civilians in armed conflicts; the discussion was chaired by the Minister for Foreign Affairs of Colombia, Carolina Barco Isakson. The debate, which had been organized in order to consider the third report of the Secretary-General on the topic (S/2002/1300), was attended by the Secretary-General, the Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, Kenzo Oshima, and the Director-General of the International Committee of the Red Cross, to whom the Council had extended an invitation to participate.

The statements by the Secretary-General, the Under-Secretary-General and the Director-General covered several aspects of the topic under consideration, including: the urgent need to strengthen mechanisms and establish systematic

criteria for the creation of a solid structure for protecting civilians in conflict situations; progress in promoting awareness of civilian protection and the new challenges mentioned in the report (gender-based violence, commercial exploitation of conflicts and terrorism, and the participation of terrorist organizations in armed conflicts); ensuring that humanitarian aid was accessible to the most vulnerable groups; separation of civilians from combatants and respect for the rule of law; the response of humanitarian assistance organizations to the challenges posed by the complexities of current unconventional conflicts; and the fundamental duty of States, which have primary responsibility for the security of their nationals, to formulate an adequate political response to prevent and resolve conflicts.

The members of the Council and non-members participating in the debate addressed these topics in their statements. They highlighted, for example, the need to carry out a systematic study of the topic and to focus efforts on making effective measures to reverse and prevent the problem; the critical importance of operating on the basis of consensus in dealing with the three key areas and the three growing challenges identified in the report. Participants also put forward recommendations and proposals, such as the creation, at the initiative of Norway, of a support group; cooperation between relevant Secretariat bodies; regularly updating the aide-memoire; and developing a plan to make the Secretary-General's road map operational by identifying priorities, actors and timetables.

On 19 December, in informal consultations, the President of the Council submitted a draft presidential statement setting out the main points of the public debate, which were being considered further at the expert level. On 20 December the Council adopted the text of the presidential statement on the protection of civilians in armed conflicts (S/PRST/2002/41).

Presentation on food insecurity as a threat to international peace and security

At the invitation of Colombia, the Executive Director of the World Food Programme (WFP), James Morris, made a presentation on 3 December on a topic of current relevance to the work of the Council: the food crisis in Africa as a threat to international peace and security. The Executive Director painted a bleak picture, emphasizing the link between stability in the region and food security and the key importance of food security for the long-term development of societies and as a strategy for conflict prevention.

The Executive Director of WFP focused his statement on Africa, citing figures that had been under consideration by the Council: some 40 million persons were in danger of starvation as a result of a combination of factors which included conflict situations, the proliferation of refugees and internally displaced persons, drought and high rates of HIV/AIDS infection, especially in southern Africa. To tackle that crisis, the Executive Director said, it was necessary to: increase assistance from the international donor community; substantially increase investment in agricultural infrastructure and adopt new technologies as part of national agricultural policies; ensure that the private sector and the market economy were functioning adequately; and make the feeding of children a priority.

The President's initiative was welcomed by Council members, as it allowed them to view the provision of food aid as part of conflict-prevention and to identify areas of possible cooperation with other bodies of the United Nations system.

At the end of the meeting, the Executive Director offered to submit detailed replies in writing to the questions raised, which he did by means of a text that the President circulated. That innovative mechanism might well become a new practice in cases that warranted it.

Wrap-up session

A public wrap-up session was held on 20 December, the first such meeting since June 2002. Council members based their statements on a document prepared by the President that was intended to serve as a guide for the discussion (S/2002/1387, annex). The debate opened with statements by the five elected members whose terms of office were to expire on 31 December 2002 (Ireland, Mauritius, Norway, Singapore and Colombia). In their statements, members spoke of, inter alia, lessons learned, concrete initiatives for improving the work of the Council and the specific contributions each of the departing members had made.

Some of the Council's achievements during 2002 identified by its members were the following: contributing to the independence of Timor-Leste; positive developments in the situation in Afghanistan; stabilization of the situation in Sierra Leone; the establishment of peace in Angola; and the peace and ceasefire agreements in the Democratic Republic of the Congo and Burundi, respectively.

The consolidation of peace and the rebuilding of countries emerging from war in Africa, the viability of disarmament, demobilization and reintegration programmes, relations with the Economic and Social Council and the response to the global threat of terrorism were some of the challenges members suggested would shape the work of the Council in 2003. Other topics mentioned in statements were the progress made in working methods, rationalization of the Council's work and the political importance of maintaining unity among the 15 members, as when the Council had adopted resolution 1441 (2002).

Final reports of the sanctions committees and working groups

In an open meeting held on 18 December, the representatives of the countries whose term on the Council was to end on 31 December 2002 (Ireland, Mauritius, Norway, Singapore and Colombia) submitted final reports on their work as Chairmen of the sanctions committees or working groups. The meeting accomplished one of the objectives proposed by Colombia in its exercise of the presidency and resulted in the leaving of a final record of the responsibilities undertaken personally by those ambassadors, with considerable assistance from countries not represented on the Council.

The reports were submitted in the following order: first, Ambassador Peter Kolby of Norway, Chairman of the Committee established by resolution 661 (1990) concerning the situation between Iraq and Kuwait; second, Ambassador Richard Ryan of Ireland, Chairman of the Committee established pursuant to resolution 864 (1993) concerning the situation in Angola; third, Ambassador Alfonso Valdivieso of Colombia, Chairman of the Committee established pursuant to resolution 1267 (1999); fourth, Ambassador Kishore Mahbubani of Singapore, Chairman of the Committee established pursuant to resolution 1343 (2001) concerning Liberia; fifth, Ambassador Jagdish Koonjul of Mauritius, Chairman of the Ad Hoc Working Group on Conflict Prevention and Resolution in Africa; and, lastly, Deputy Ambassador

Wegger Strømmen of Norway, Chairman of the Working Group on United Nations peacekeeping operations.

The presentations made by these members are contained in document S/PV.4673.

Threats to international peace and security caused by terrorist acts

Early in December the delegation of the United States of America submitted and circulated a draft resolution condemning the terrorist attacks which had occurred in Kenya on 28 November 2002; the text was similar in content to resolutions 1438 (2002) and 1440 (2002), and the United States delegation said that it had been agreed with the Government of Kenya. Some Council members made preliminary observations, which made it clear that time would have to be provided for consideration of the proposed text if unanimity on it was to be achieved among the Council.

On 13 December, in informal consultations, under "Other matters", the United States delegation submitted a revised version of the draft resolution, previously issued in provisional form, in which the Council would condemn the terrorist attacks that had taken place in Kenya at the end of November. One delegation submitted a number of amendments for consideration by Council members, which were not accepted. That same delegation proposed that the text should be put to a vote on 16 December. That proposal was not accepted by the United States delegation, which in turn requested that the text should be put to the vote immediately. The text was adopted as resolution 1450 (2002), with 14 votes in favour and one against, cast by the Syrian Arab Republic.

Threats to international peace and security caused by terrorist acts (humanitarian exceptions to resolution 1390 (2002))

During informal consultations held on 19 December, the delegation of the United States of America informed the other members of the Council that agreement had been reached at the expert level on the draft resolution on humanitarian exceptions to the sanctions regime imposed on al-Qa'idah and the Taliban pursuant to resolution 1390 (2002). On 20 December, the Council agreed to adopt it as a presidential text, and it was adopted as resolution 1452 (2002) on that day.

Counter-Terrorism Committee

On 17 December, the President of the Security Council issued a presidential statement, which had been agreed earlier with the Counter-Terrorism Committee and submitted by the delegation of the United Kingdom during informal consultations held on the previous day. The statement, which included various references to the Committee's work, was adopted as document S/PRST/2002/38.

International Tribunal for Rwanda

On 12 December, under "Other matters", the President of the Council circulated a draft resolution transmitting to the General Assembly the names of the permanent judges nominated by the International Tribunal for Rwanda according to the information recorded by the Office of the Legal Counsel of the United Nations. That document, which had already been approved by the Council members' legal

advisers, was adopted on 13 December as resolution 1449 (2002). The President of the Council informed the President of the General Assembly of the contents of that resolution in a note dated 13 December.

International Tribunals for Rwanda and the Former Yugoslavia

During informal consultations on 17 December, under "Other matters", the President of the Council circulated a draft presidential statement on cooperation with the International Tribunals for Rwanda and the Former Yugoslavia. The presidential statement was a response to various communications from the Prosecutor of the International Tribunal for Rwanda, the President of the International Tribunal for Rwanda and the President of the International Tribunal for the Former Yugoslavia. The draft, which had already been approved by the legal advisers, was adopted on 18 December (S/PRST/2002/39).

Ad Hoc Working Group on Conflict Prevention and Resolution in Africa

During informal consultations held on 9 December, the Permanent Representative of Mauritius, in his capacity as Chairman of the Ad Hoc Working Group on Conflict Prevention and Resolution in Africa, submitted to the Council a document containing recommendations relating to the enhancement of the effectiveness of the representatives and special representatives of the Secretary-General in Africa. It was agreed that the President would have it circulated as a document of the Council.

Chairmen and vice-chairmen of the sanctions committees and working groups for 2003

During informal consultations held on 20 December, the President of the Council announced the results of his consultations concerning the appointment of the chairmen and vice-chairmen of the sanctions committees and working groups as from 1 January 2003. That understanding, which could not be made official until January 2003, would facilitate the transition between the chairmen and vice-chairmen whose terms of office would end in December 2002 and those who would assume office in January 2003.

Special event at the Council of the Americas

On 11 December, at the initiative of Colombia, a meeting of the Permanent Representatives of the members of the Security Council, including the five members elected to serve as from 2003, was held at the Council of the Americas. The event, entitled "Two years in the Security Council: how did we perform?" facilitated a candid exchange of views between the Permanent Representatives on issues of great political and operational importance, including the question of mandates and that of the special representatives of the Secretary-General.

Colombia had used that format earlier in its presidency: in August 2001 a similar event had been held on the topic of the regional approach to conflicts in Africa.

The report of the latest event was issued as a document of the Security Council (S/2002/1388, annex) and was circulated to the Permanent Representatives during the wrap-up session held on 20 December.

Concluding observations

During Colombia's presidency, a genuine effort was made to achieve transparency in the Council's work through detailed briefings to countries not members of the Council, continual updating of the information on the Council available on Colombia's web page (www.colombiaun.org) and the constant willingness of members of the Colombian delegation to provide answers to and cooperate with any Member of the Organization upon request. In particular, a daily information bulletin for Council members and the five members about to begin terms on the Council was disseminated by electronic mail and fax and posted daily on the web page.

Appendix

Resolutions

Resolution No.	*Date of adoption*	*Subject*
1454 (2002)	30 December	Iraq-Kuwait
1453 (2002)	24 December	The situation in Afghanistan
1452 (2002)	20 December	Threats to international peace and security caused by terrorist acts
1451 (2002)	17 December	The situation in the Middle East
1450 (2002)	13 December	Threats to international peace and security caused by terrorist acts
1449 (2002)	13 December	Establishment of the list of candidates for Judges on the International Tribunal for Rwanda
1448 (2002)	9 December	The situation in Angola
1447 (2002)	4 December	The situation between Iraq and Kuwait
1446 (2002)	4 December	The situation in Sierra Leone
1445 (2002)	4 December	The situation concerning the Democratic Republic of the Congo

Presidential statements

Symbol	*Date*	*Subject*
S/PRST/2002/42	20 December	The situation in Côte d'Ivoire
S/PRST/2002/41	20 December	Protection of civilians in armed conflicts
S/PRST/2002/40	18 December	The situation in Burundi
S/PRST/2002/39	18 December	International Tribunals for Rwanda and the Former Yugoslavia
S/PRST/2002/38	17 December	Threats to international peace and security caused by terrorist acts
S/PRST/2002/37	17 December	The situation in the Middle East
S/PRST/2002/36	13 December	The situation in Liberia
S/PRST/2002/35	12 December	The situation in Somalia
S/PRST/2002/34	12 December	The situation in Croatia
S/PRST/2002/33	12 December	The situation in Bosnia and Herzegovina

Statements to the press

Timor-Leste

4 December

The Security Council was briefed by Assistant Secretary-General Annabi on the events that took place in Dili, Timor-Leste, during the last two days.

The members of the Security Council endorsed the statement issued by the Secretary-General and call on all parties to show restraint and return to calm.

The members of the Security Council express their support to the Government of Timor-Leste and to the efforts of the United Nations Mission in Support of East Timor (UNMISET) in helping to restore law and order.

Afghanistan

6 December

The members of the Security Council recalled the signing in Bonn on 5 December 2001 of the Agreement on Provisional Arrangements in Afghanistan Pending the Re-establishment of Permanent Government Institutions (the Bonn Agreement), and welcomed the progress made so far in its implementation. The members of the Council reiterated its full support for the Bonn process and stressed the significance of the establishment of the Interim Authority and Interim Administration, the convening of the Emergency Loya Jirga, the election of President Karzai as Head of State and the establishment of the Afghan Transitional Administration.

The members of the Security Council reiterated its support for the efforts of the Afghan Transitional Administration to strengthen and promote stability, democracy and prosperity in Afghanistan.

The members of the Security Council underlined the importance of the preparation of a new constitution, and the convening by June 2004 of free and fair elections through which a broad-based, multi-ethnic and fully representative Government can be established.

Iraq

6 December

Mr. Blix briefed the Security Council.

The members of the Security Council held a discussion on the receipt of the Iraqi declaration.

The members of the Security Council decided that the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC) would be the depositary of the declaration and requested UNMOVIC and the International Atomic Energy Agency (IAEA) to examine it immediately with their experts from the standpoint of the international treaties currently in force in order to find anything in the declaration which might lead to nuclear proliferation, or constitute sensitive information, so that the confidential nature of that information could be ensured.

The members of the Security Council met during the following week in order to decide how to continue their consideration of the declaration.

The document would not be made public for several days until the necessary procedures had been completed and all mechanical and logistical arrangements had been made.

Iraq

8 December

After consulting with the members of the Security Council, the Presidency decided to allow access to the Iraqi declaration to those members with the expertise to assess the risks of proliferation and other sensitive information to begin its immediate review.

This review will be in close coordination and consultation with the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC) and the International Atomic Energy Agency (IAEA), and will assist them in preparing a working version of the declaration as soon as possible.

The Presidency received the declaration through UNMOVIC and requested its Executive Director, Hans Blix, to make it available to the Council members previously defined.

Central African Republic

9 December

The members of the Security Council heard successively the Prime Minister of the Central African Republic, Martin Ziguélé, and the Permanent Representative of Chad, Koumtog Laotegguelnodji.

The members of the Security Council noted with satisfaction that both the Central African Republic and Chad are willing to show restraint and to settle their differences through political dialogue. They welcomed the commitment expressed by both representatives to implement fully and without delay the agreement reached at the Libreville summit of the Economic and Monetary Community of Central Africa (CEMAC) under the auspices of the President of Gabon, El Hadj Omar Bongo.

The members of the Security Council felt particularly encouraged that both parties announced that they would implement without delay the following measures: reactivation of the Joint Commission, meeting of the two Presidents and joint patrolling along the border.

The members of the Security Council expressed their hope that both parties will now seize the opportunity of the CEMAC deployment, under the leadership of Gabon and with the logistical and financial support of France, to normalize their relations as quickly as possible. They requested all Member States to provide, as appropriate, financial and logistical support to the CEMAC force.

Repatriation of Kuwaiti and third-country nationals and return of all Kuwaiti property, including archives

18 December

The members of the Security Council reviewed the latest report of the Secretary-General submitted pursuant to paragraph 14 of Security Council resolution 1284 (1999) regarding the repatriation of Kuwaiti and third-country nationals and the return of all Kuwaiti property, including archives. The Council once again expressed its unanimous support for the work of Ambassador Vorontsov and for his efforts in following this issue.

The members of the Council expressed their deep concern at the continuing plight of the Kuwaiti and third-country nationals still remaining in Iraq and expressed their sympathy for their families. The members of the Council noted that Kuwait had indicated that the recent invitation extended to Ambassador Vorontsov by the Iraqi Foreign Minister to visit Iraq was a step forward in the direction of cooperation demanded by the resolutions and expressed their strong desire for concrete and substantive progress on the matter. The members of the Council expressed their hope that this issue would continue to be dealt with as a strictly humanitarian one by all sides concerned and be resolved urgently.

The members of the Council noted the return to Kuwait, by Iraq in October this year, of documents previously taken or removed from Kuwait. The members of the Council also agreed that Kuwait was uniquely positioned to ascertain whether Iraq had returned all the documents it had taken, including its national archives. Members of the Council called upon Iraq to redouble its efforts to return all remaining Kuwaiti property.

The members of the Council continued to stress the importance of the work of the International Committee of the Red Cross and the Tripartite Commission in solving this humanitarian issue. The members of the Council took note of Iraq's recent agreement to resume its participation in the Technical Subcommittee, as proposed by the International Committee of the Red Cross, and expected positive developments on the issue as a result of Iraq's resumed presence in the Commission. The members of the Security Council urged Iraq to cooperate fully with Ambassador Vorontsov in fulfilling his mandate as set out in Security Council resolution 1284 (1999).

Cyprus

18 December

On 18 December, the members of the Security Council, in the presence of the Secretary-General, heard a briefing from the Special Adviser to the Secretary-General on Cyprus on the negotiations that have taken place in recent months, in pursuance of the mission entrusted to the Secretary-General by the Security Council in its resolution 1250 (1999), aimed at achieving agreement on a comprehensive settlement to the Cyprus problem which takes full account of relevant Security Council resolutions.

The members of the Council commended the Secretary-General for the initiatives he had taken in November and December 2002 to bridge the gaps between the two sides and to enable them to reach an agreement. They expressed the view

that the proposal put forward on 11 November, as revised on 10 December, offered a unique opportunity to reach a settlement in the coming weeks.

They regretted that the Turkish Cypriot leadership had not responded in a timely way to the initiatives of the Secretary-General, and called for constructive efforts to reach a settlement in conformity with the timetable proposed by the Secretary-General.

The members of the Security Council welcomed the willingness of both sides to continue the negotiations in the period ahead. They underlined the importance of intensifying the negotiations so that full agreement could be reached before 28 February 2003, in conformity with the timetable proposed by the Secretary-General. They urged both sides to work on the basis of the Secretary-General's revised proposals of 10 December.

The members of the Council drew attention to the unique opportunity that existed for the settlement of this long-running problem and to the benefits for all concerned from so doing, so that all Cypriots can benefit from Cyprus's accession to the European Union. They urged all concerned to seize the historic opportunity to achieve a peaceful, just and lasting settlement to the Cyprus problem to the benefit of all its people and the wider region.

The members of the Council expressed their full support for the continuation of the Secretary-General's mission of good offices and his efforts to bring about a settlement in the first two months of 2003.

Guinea-Bissau

18 December

The members of the Security Council heard a briefing by David Stephen, Representative of the Secretary-General on the situation in Guinea-Bissau.

The members of the Council expressed their concern at the constitutional impasse and the increasing political instability in the country. In that regard, they stressed the need to start as soon as possible to prepare the forthcoming early elections and in particular to choose the date on which they would be held. The members of the Security Council endorsed the Secretary-General's appeal to organize speedy elections for the offices of President and Vice-President of the Supreme Court, which could be a concrete manifestation of the Government's commitment to the rule of law and respect for human rights, and appealed to the Government to ensure that the forthcoming legislative elections are conducted in a transparent, fair and credible manner. It is important that a new constitution be promulgated without delay.

The members of the Security Council further expressed their concern at the serious economic situation in the country. They called on the Government of Guinea-Bissau to take the necessary steps to facilitate a constructive dialogue with the international community and called on the latter to stand ready to provide assistance.

The members of the Council were also concerned by information regarding the harassment of civilians by security forces as well as by the financial difficulties of the demobilization, reinsertion and reintegration programme.

Finally, members of the Security Council welcomed the work of the Ad Hoc Advisory Group of the Economic and Social Council on Guinea-Bissau and expressed their strong support to the Representative of the Secretary-General and to the United Nations Peace-building Support Office in Guinea-Bissau.

Democratic Republic of the Congo

18 December

The members of the Security Council:

Welcome the signing of a comprehensive, inclusive agreement on the political transition in the Democratic Republic of the Congo that should lead to the holding of general elections in the country when the transition period ends two years from now, and that will make it possible to begin the country's reconstruction and recovery on a basis of consensus;

Pay a tribute to the Special Envoy of the Secretary-General, Mr. Niasse, to Sir Ketumile Masire, Facilitator of the Inter-Congolese Dialogue, to the Government of the Republic of South Africa and to the personal commitment of President Mbeki, whose tireless efforts have helped to bring about the conclusion of this agreement among the Congolese parties;

Call upon the Congolese parties to ratify this agreement as soon as possible within the framework of the Inter-Congolese Dialogue, to implement it fully and, inter alia, to settle in Kinshasa as soon as possible, and to work in a spirit of full cooperation and for the general interest of the Congolese nation;

Call upon countries of the region to support the implementation of this agreement.

Iraq

19 December

Members of the Security Council received a briefing regarding inspections in Iraq and a preliminary assessment of Iraq's declaration under paragraph 3 of resolution 1441 (2002) from Hans Blix, Executive Chairman of the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC), and Mohamed ElBaradei, Director-General of the International Atomic Energy Agency (IAEA).

Members of the Security Council took note of the contents of this briefing, and expressed their intention of having a further discussion early in January 2003 after all members of the Council finish their own analytical work of the Iraqi declaration, and to hold more regular briefings from UNMOVIC and the IAEA.

Members of the Security Council reiterated their support to UNMOVIC and the IAEA in the implementation of resolution 1441 (2002).

Democratic Republic of the Congo

24 December

The members of the Security Council were briefed by the Secretariat regarding recent developments in the Democratic Republic of the Congo.

The members of the Council strongly condemned the renewed fighting between the RCD-National/MLC and RCD-K/ML in the north-east of the Democratic Republic of the Congo, especially the RCD-National/MLC offensive in Ituri (Mambasa, Komanda and Teturi) and the threat this has posed to the town of Beni. They expressed their deep concern over the serious violations of human rights taking place and the displacement of tens of thousands of civilians caused by the recent military activities.

The members of the Security Council stressed that such fighting clearly violated the letter and spirit of the all-inclusive agreement on the transition, which was signed in Pretoria on 16 December 2002, and the truce that was brokered by the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC) in Ituri.

The members of the Security Council also called on all Congolese parties to immediately cease hostilities and to implement the Pretoria Accord expeditiously by putting in place without delay the transitional arrangements. In particular, they also called for the RCD-National/MLC to cease further offensive action, to meet with the RCD-K/ML leadership in the presence of diplomatic representatives, and for all parties involved in Ituri to cooperate with MONUC to put in place the truce that had been agreed, including the establishment of the military contact group, and to allow unhindered access to humanitarian relief.

The members of the Council also condemned the fighting between the RCD-Goma and armed groups in South Kivu (Uvira).

The members of the Security Council called upon all concerned to stop material support to the parties engaged in military activities in the north-east and in the Kivus.

United Nations S/2003/78

Security Council

Distr.: General
22 January 2003

Original: English

Letter dated 20 January 2003 from the Chargé d'affaires a.i. of the Permanent Mission of Hungary to the United Nations addressed to the Secretary-General

I have the honour to inform you that the Hungarian Parliament has decided, pursuant to Security Council resolution 1386 (2001), to contribute to the implementation of the tasks of the International Security Assistance Force in Afghanistan by sending a medical unit consisting of up to 50 personnel. The mandate of the Hungarian unit has been authorized for six months or, at a maximum, until 31 December 2003. The arrangements for the participation of the Hungarian unit will be made in consultation with the leadership of the Force.

I should be grateful if the present letter could be circulated as a document of the Security Council.

(*Signed*) István **Posta**
Chargé d'affaires a.i.

03-22018 (E) 220103

United Nations S/2003/79

Security Council

Distr.: General
23 January 2003

Original: English

Letter dated 21 January 2003 from the Permanent Representative of Greece to the United Nations addressed to the Secretary-General

I have the honour to draw your attention to the statement on the official announcement by the Democratic People's Republic of Korea concerning its intention to withdraw from the Treaty on the Non-Proliferation of Nuclear Weapons issued on 13 January 2003 by the Presidency of the European Union (see annex).

I would be grateful if the text of this letter and its annex could be circulated as a document of the Security Council.

(*Signed*) Adamantios Th. **Vassilakis**
Permanent Representative of Greece to the United Nations

03-22064 (E) 240103

Annex to the letter dated 21 January 2003 from the Permanent Representative of Greece to the United Nations addressed to the Secretary-General

[Original: English, French and Spanish]

Statement on the official announcement by the Democratic People's Republic of Korea concerning its intention to withdraw from the Treaty on the Non-Proliferation of Nuclear Weapons issued on 13 January 2003 by the Presidency of the European Union

The European Union deeply regrets the official announcement by the Democratic People's Republic of Korea concerning its intention to withdraw from the Treaty on the Non-Proliferation of Nuclear Weapons (NPT). This is an issue of utmost concern to the whole international community, as it sets a most regrettable precedent that undermines the efforts towards the universalization of the NPT, the cornerstone of the global nuclear non-proliferation regime.

The European Union member States express their grave concern over this unilateral step taken by the Democratic People's Republic of Korea and maintain their hope that North Korea will revert to a more positive attitude that would defuse the present situation of crisis and would safeguard peace and security on the Korean peninsula. In this regard, the European Union reiterates its call on North Korea to comply fully with its international commitments concerning the non-proliferation of nuclear weapons in a visible and verifiable manner.

The European Union reiterates its commitment to make a contribution towards working out a lasting peaceful solution.

The Central and Eastern European countries associated with the European Union, the associated counties Cyprus, Malta and Turkey, and the European Free Trade Association countries Iceland, Liechtenstein and Norway, members of the European Economic Area, align themselves with this statement.

United Nations S/2003/80

Security Council

Distr.: General
23 January 2003

Original: English

Letter dated 21 January 2003 from the Permanent Representative of Greece to the United Nations addressed to the Secretary-General

I have the honour to draw your attention to the statement by the Presidency of the European Union on the execution of death sentences in the Sudan issued on 15 January 2003 (see annex).

I would be grateful if the text of this letter and its annex could be circulated as a document of the Security Council.

(*Signed*) Adamantios Th. **Vassilakis**
Permanent Representative of Greece to the United Nations

03-22070 (E) 240103

Annex to the letter dated 21 January 2003 from the Permanent Representative of Greece to the United Nations addressed to the Secretary-General

[Original: English, French and Spanish]

Brussels, 15 January 2003

Statement on the execution of death sentences in the Sudan issued on 15 January 2003 by the Presidency of the European Union

The European Union strongly condemns the executions of the three persons recently sentenced to death in the Sudan. The European Union points to its statement of 10 January 2003 and its repeated attempts to undertake demarches with the Government of the Sudan.

The European Union reiterates its categorical opposition to the death penalty in all circumstances and calls on the Government of the Sudan to refrain from further executions and other forms of cruel or inhuman punishment. It also stresses that such actions go against the benchmarks applied in the framework of the ongoing dialogue between the European Union and the Government of the Sudan.

The Central and Eastern European countries associated with the European Union, the associated countries Cyprus, Malta and Turkey, and the European Free Trade Association countries members of the European Economic Area align themselves with this statement.

United Nations S/2003/81

Security Council

Distr.: General
23 January 2003

Original: English

Letter dated 21 January 2003 from the Permanent Representative of Greece to the United Nations addressed to the Secretary-General

I have the honour to draw your attention to the statement on the formation of the Council of Ministers of Bosnia and Herzegovina issued by the Presidency of the European Union on 16 January 2003 (see annex).

I would be grateful if the text of this letter and its annex could be circulated as a document of the Security Council.

(*Signed*) Adamantios Th. **Vassilakis**
Permanent Representative of Greece to the United Nations

03-22079 (E) 240103

Annex to the letter dated 21 January 2003 from the Permanent Representative of Greece to the United Nations addressed to the Secretary-General

[Original: English, French and Spanish]

Statement on the formation of the Council of Ministers of Bosnia and Herzegovina issued by the Presidency of the European Union on 16 January 2003

The European Union welcomes the formation of the Council of Ministers of Bosnia and Herzegovina and congratulates its newly appointed members.

The fact that the term of office of the elected officials will be extended to four years, from the present two, under the terms of the election law, gives the new Government the opportunity to pursue a significantly more ambitious and practical policy agenda.

The European Union would like to reiterate its readiness to work closely with the new State Government, which should be genuinely committed to the quality and intensity of the reform process that Bosnia and Herzegovina needs in order to move closer to the European Union.

The European Union will continue to be strongly committed to the European future of Bosnia and Herzegovina. In this context, a feasibility study by the European Commission will be the next step. It has to be clear, however, that the ultimate responsibility for progress on this path to Europe lies with the State and entity authorities.

The European Union urges the members of the new State Government to work jointly, rapidly and intently on carrying out all the necessary Stabilization and Association Process reforms in order for Bosnia and Herzegovina to move from stabilization to association. To this end, Bosnia and Herzegovina has to speed up efforts to adopt European standards for the rule of law, the functioning of State institutions, the fight against organized crime, the sustainable return of refugees and internally displaced persons, full cooperation with the International Tribunal for the Former Yugoslavia and the establishment of State-level civilian command and control over the armed forces.

The European Union hopes that the formation of entity governments will soon follow.

United Nations S/2003/82

Security Council

Distr.: General
23 January 2003
English
Original: Arabic

Letter dated 20 January 2003 from the Chargé d'affaires a.i. of the Permanent Mission of the Libyan Arab Jamahiriya to the United Nations addressed to the President of the Security Council

On instructions from my Government, I have the honour to transmit to you herewith the response of the General People's Committee for Foreign Liaison and International Cooperation to the decision of the United States of America to extend the term of the Libya Sanctions Act for a further year beginning on 7 January 2003.

I should be grateful if you would have this response circulated as a document of the Security Council.

(*Signed*) Ahmed A. **Own**
Chargé d'affaires a.i

03-22121 (E) 230103 240103

Annex to the letter dated 20 January 2003 from the Chargé d'affaires a.i. of the Permanent Mission of the Libyan Arab Jamahiriya to the United Nations addressed to the President of the Security Council

Response of the People's General Committee for Foreign Liaison and International Cooperation to the decision of the United States of America to extend the term of the Libya Sanctions Act

On 2 January 2003, the President of the United States of America, George W. Bush, addressed a letter to the speakers of the United States House of Representatives and Senate informing them of his decision to extend the comprehensive sanctions imposed on the Libyan Arab Jamahiriya for a further year beginning on 7 January 2003. That means the continuation of the freezing of Libyan assets in United States banks, the barring of Libyan students from pursuing advance studies in the United States and a ban on the export to the Jamahiriya of United States technical equipment.

The great Socialist People's Libyan Arab Jamahiriya expresses its extreme displeasure and its amazement at this measure and finds it in contradiction with events, particularly the positive attitudes adopted by the Jamahiriya with regard to the improvement of relations between the two countries.

The United States administration's extension of the so-called "Libya Sanctions Act" represents a flagrant violation of the principles of the Charter of the United Nations, the norms of international law governing relations among States and the resolutions adopted by the United Nations General Assembly and by international and regional organizations, in particular, General Assembly resolution 57/5 of 16 October 2002.

By this decision, the United States administration has sought to delude world public opinion by linking Security Council resolutions 731 (1992), 748 (1992) and 883 (1993) to the unilateral coercive measures imposed by the United States of America on the Libyan Arab Jamahiriya since 1986, although no such connection exists, because the United States measure preceded the Security Council resolutions and the reference to these resolutions has no other explanation save that it represents an attempt to confer legitimacy on the unilateral United States measures and confirmation of the premeditated intent to justify its continuation.

In his letter, the United States President said that one of the reasons for extension of the term of the coercive United States measures was the Libyan Arab Jamahiriya's failure so far to comply with its obligations under Security Council resolutions. This argument not only ignores the positions expressed by many international and regional organizations, namely that the Jamahiriya has complied with all these resolutions, but it is also contrary to the conclusions arrived at by the Secretary-General of the United Nations in his report to the Security Council under paragraph 6 of resolution 883 (1993), in which he stated clearly that the Libyan Arab Jamahiriya had complied with all the requirements of the Security Council resolutions relating to the dispute concerning the Lockerbie incident.

The great Socialist People's Libyan Arab Jamahiriya hopes that the United States of America will take into account the positive developments in relations between the two countries arising from the Jamahiriya's flexible position aimed at

the settlement of the problems between them and trusts that the United States Government will respond to the repeated appeals from international and regional organizations to rescind these unilateral coercive measures, which are not conducive to the establishment of balanced friendly relations governed by mutual respect and regard for the common interests of both parties.

Tripoli, 11 January 2003

United Nations S/2003/83

Security Council

Distr.: General
23 January 2003

Original: English and French

Draft resolution

The Security Council,

Recalling its resolutions 1291 (2000) of 24 February 2000, 1304 (2000) of 16 June 2000, 1323 (2000) of 13 October 2000, 1332 (2000) of 14 December 2000, 1341 (2001) of 22 February 2001, 1355 (2001) of 15 June 2001, 1376 (2001) of 9 November 2001, 1417 (2002) of 14 June 2002 and 1445 (2002) of 4 December 2002, and the statements of its President of 26 January 2000 (S/PRST/2000/2), 2 June 2000 (S/PRST/2000/20), 7 September 2000 (S/PRST/2000/28), 3 May 2001 (S/PRST/2001/13) and 19 December 2001 (S/PRST/2001/39),

Reaffirming the sovereignty, territorial integrity and political independence of the Democratic Republic of the Congo and of all other States in the region,

Reaffirming also the sovereignty of the Democratic Republic of the Congo over its natural resources,

Recalling the letters from the Secretary-General of 12 April 2001 (S/2001/357), 13 November 2001 (S/2001/1072), and 22 May 2002 (S/2002/565),

Reiterating its commitment to take appropriate action to help put an end to the plundering of the resources of the Democratic Republic of the Congo, in support of the peace process,

Determining that the situation in the Democratic Republic of the Congo continues to constitute a threat to international peace and stability in the Great Lakes region,

1. *Takes note* of the report of the Panel of Experts (hereinafter "the Panel") on the Illegal Exploitation of Natural Resources and Other Forms of Wealth in the Democratic Republic of the Congo, transmitted by the Secretary-General in his letter dated 15 October 2002 (S/2002/1146);

2. *Strongly condemns* the illegal exploitation of the natural resources of the Democratic Republic of the Congo;

3. *Notes with concern* that the plundering of the natural resources and other forms of wealth of the Democratic Republic of the Congo continues and is one of the main elements fuelling the conflict in the region, and in this regard, demands that all States concerned take immediate steps to end these illegal activities, which are perpetuating the conflict, impeding the economic development of the Democratic Republic of the Congo, and exacerbating the suffering of its people;

03-22243 (E) 240103

4. *Reiterates* that the natural resources of the Democratic Republic of the Congo should be exploited transparently, legally and on a fair commercial basis, to benefit the country and its people;

5. *Stresses* that the completion of the withdrawal of all foreign troops from the territory of the Democratic Republic of the Congo as well as the early establishment of an all-inclusive transitional government in the country, which will ensure that central government control is reinstated and that viable administrations are empowered to protect and regulate the exploitation activities, are important steps towards ending the plundering of the natural resources of the Democratic Republic of the Congo;

6. *Stresses also* that the possible convening of an international conference on peace, security, democracy and development in the Great Lakes region at the appropriate time could help the States of the region in promoting a sound regional economic integration, to the benefit of all the States in the region;

7. *Takes note* of the importance of the natural resources and extractive sectors for the future of the Democratic Republic of the Congo, encourages States, international financial institutions, and other organizations to assist Governments in the region in efforts to create appropriate national structures and institutions to control resource exploitation, encourages also the Government of the Democratic Republic of the Congo to work closely with the International Financial Institutions and the donor community to establish Congolese institutional capacity to ensure that these sectors are controlled and operated in a transparent and legitimate way, so that the riches of the Democratic Republic of the Congo can benefit the Congolese people;

8. *Stresses* the importance of following up the independent findings of the Panel regarding the link between the illegal exploitation of the natural resources of the Democratic Republic of the Congo and the continuation of the conflict, stresses the importance of exerting the necessary pressure to put an end to such exploitation, notes that the reports of the Panel to date have made a useful contribution to the peace process in this regard, and therefore requests the Secretary-General to give a new mandate to the Panel for a period of six months at the end of which the Panel should provide a report to the Council;

9. *Stresses* that the new mandate of the Panel should include:

- Further review of relevant data and analysis of information previously gathered by the Panel, as well as any new information, including specifically material provided by individuals and entities named in the previous reports of the Panel, in order to verify, reinforce and, where necessary, update the Panel's findings, and/or clear parties named in the Panel's previous reports, with a view to adjusting accordingly the lists attached to these reports;

- Information on actions taken by Governments in response to the Panel's previous recommendations, including information on how capacity-building and reforms in the region are affecting exploitation activities;

- An assessment of the actions taken by all those named in the reports in respect of paragraphs 12 and 15 below;

- Recommendations on measures a transitional Government in the Democratic Republic of the Congo and other Governments in the region could take to

develop and enhance their policies, legal framework and administrative capacity to ensure the resources of the Democratic Republic of the Congo are exploited legally and on a fair commercial basis to benefit the Congolese people;

10. *Requests* the chairman of the Panel to brief the Council on any progress towards the cessation of the plundering of the natural resources of the Democratic Republic of the Congo three months after the resumption of the Panel's work;

11. *Invites*, in the interests of transparency, individuals, companies and States, which have been named in the Panel's last report to send their reactions, with due regard to commercial confidentiality, to the Secretariat, no later than 31 March 2003, and requests the Secretary-General to arrange for the publication of these reactions, upon request by individuals, companies and States named in the report of 15 October 2002, as an attachment to this report, no later than 15 April 2003;

12. *Stresses* the importance of dialogue between the Panel, individuals, companies and States and requests in this regard that the Panel provide to the individuals, companies and States named, upon request, all information and documentation connecting them to the illegal exploitation of the Democratic Republic of the Congo's natural resources, and requests the Panel to establish a procedure to provide to Member States, upon request, information previously collected by the Panel to help them take the necessary investigative action, subject to the Panel's duty to preserve the safety of its sources, and in accordance with United Nations established practice in consultation with the United Nations Office of Legal Affairs;

13. *Emphasizes* the duty of the individuals, companies and States named in the report to respect the confidentiality of the material to be given to them by the Panel so as to ensure that the safety of the Panel's sources is preserved;

14. *Requests* the Panel to provide information to the Organisation for Economic Cooperation and Development (OECD) Committee on International Investment and Multinational Enterprises and to the National Contact Points for the OECD Guidelines for Multinational Enterprises in the States where business enterprises listed in annex 3 of the last report as being allegedly in contravention of the OECD guidelines are registered, in accordance with United Nations established practice;

15. *Urges* all States, especially those in the region to conduct their own investigations, including as appropriate through judicial means, in order to clarify credibly the findings of the Panel, taking into account the fact that the Panel, which is not a judicial body, does not have the resources to carry out an investigation whereby these findings can be considered as established facts;

16. In this regard, *notes with satisfaction* the decision of the Attorney General of the Democratic Republic of the Congo to start a judicial procedure, commends the decision of the Government of the Democratic Republic of the Congo to suspend momentarily the officials named in the reports pending further clarification, and requests the Panel to cooperate fully with the Office of the Attorney General and to provide to this Office information it may need to conduct its investigations, subject to the Panel's duty to preserve the safety of its sources, and in accordance with United Nations established practice in consultation with the United Nations Office of Legal Affairs;

17. *Further notes with satisfaction* the actions taken by other States, including the decision by the Government of Uganda to establish a Judicial Commission of Inquiry, urges all States concerned and in particular the Governments of Zimbabwe and Rwanda to cooperate fully with the Panel and investigate further the accusations made through due judicial process and stresses the importance of collaboration between the Panel and all investigative bodies;

18. *Encourages* all organizations concerned to consider, as appropriate, the relevant recommendations contained in the reports of the Panel, and in particular encourages the specialized industries' organizations to monitor trade in commodities from conflict areas, in particular the territory of the Democratic Republic of the Congo, and to collect data in this regard, with a view to helping put an end to the plundering of the natural resources in these areas;

19. *Encourages* the implementation of the decisions taken within the framework of the Inter-Congolese dialogue, especially its recommendation to establish a special commission to examine the validity of economic and financial agreements in the Democratic Republic of the Congo;

20. *Expresses* its full support to the Panel and reiterates that all parties and relevant States must extend their full cooperation to the Panel, while ensuring necessary security for the experts;

21. *Decides* to remain actively seized of the matter.

United Nations A/57/715–S/2003/84

General Assembly
Security Council

Distr.: General
24 January 2003
English
Original: Spanish

General Assembly
Fifty-seventh session
Agenda item 66 (v)
General and complete disarmament: the illicit trade in small arms and light weapons in all its aspects

Security Council
Fifty-eighth year

Letter dated 22 January 2003 from the Permanent Representative of Panama to the United Nations addressed to the Secretary-General

On instructions from the Government of the Republic of Panama, I have the honour to transmit to you herewith the text of the communiqué issued on 20 January 2003 by the Ministry of Foreign Affairs of the Republic of Panama concerning the report of the General Secretariat of the Organization of American States on the diversion of Nicaraguan arms to the United Self-Defence Forces of Colombia (see annex).

I should be grateful if you would arrange for the text of this letter and its annex to be circulated as a document of the General Assembly under agenda item 66 (v), and of the Security Council.

(*Signed*) Ramón A. **Morales**
Ambassador
Permanent Representative

03-22261 (E) 270103 280103

Annex to the letter dated 22 January 2003 from the Permanent Representative of Panama to the United Nations addressed to the Secretary-General

Communiqué issued on 20 January 2003 by the Ministry of Foreign Affairs concerning the report of the General Secretariat of the Organization of American States on the diversion of Nicaraguan arms to the United Self-Defence Forces of Colombia

1. The investigation conducted by the General Secretariat of the Organization of American States (OAS), at the request of the President of the Republic of Panama, Mireya Moscoso, and supported by the Governments of Colombia and Nicaragua, confirmed the forgery of the purported purchase order of the Panamanian National Police that was used to procure the shipment of Nicaraguan arms that was then diverted to Colombia and ended up in the hands of the so-called United Self-Defence Forces of Colombia.

2. The investigation, which was entrusted by the Secretary-General of OAS, César Gaviria, to Ambassador Morris D. Busby, a retired official of the United States of America Department of State, who was the United States representative in Colombia, concluded with the submission to the ambassadors to the OAS of the report to the Ministers for Foreign Affairs of the three Governments, which, in addition to confirming that the purported purchase order had been forged, concluded, inter alia, that:

(a) "The Panamanian authorities were involved in neither the purchase nor diversion of the weapons" to Colombia.

(b) "The Government of Nicaragua had failed to comply with a number of the provisions of the Inter-American Convention against Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives and Other Related Materials (CIFTA), to which Nicaragua is a State party", and that, moreover, "the Nicaraguan authorities are guilty of professional negligence for their failure to verify whether the Panamian National Police was indeed the end purchaser in the arms transaction".

3. The Republic of Panama, as a State party to CIFTA, hereby reiterates its intention to observe, abide by and implement the provisions of the Convention, since it is the appropriate instrument for preventing the occurrence of acts such as those that gave rise to the investigation carried out by the General Secretariat of OAS.

4. In this connection, the Government of President Mireya Moscoso wishes to reiterate its proposal made to the Permanent Council of OAS, on 15 May 2002, for the adoption of complementary norms to strengthen and enhance the effectiveness of the implementation of the Convention.

5. The Government of Panama thanks the Secretary-General of OAS, César Gaviria, for his prompt response to the request of the Governments of Colombia, Nicaragua and Panama to conduct an impartial and objective investigation of all the facts related to this case, as well as the investigating team, headed by Ambassador Morris D. Busby, for its professionalism and diligence, and for the recommendations contained in the report, to which it will give due attention and ensure its follow-up.

United Nations S/2003/85

Security Council

Distr.: General
24 January 2003
English
Original: French

Letter dated 22 January 2003 from the Secretary-General addressed to the President of the Security Council

I have the honour to transmit to you herewith a communication dated 6 December 2002 addressed to me by the Secretary General of the North Atlantic Treaty Organization (see annex).

I should be grateful if you would arrange to have this letter and its annex brought to the attention of the members of the Security Council.

(*Signed*) Kofi A. **Annan**

03-22390 (E) 270103 280103

Annex

Letter dated 6 December 2002 from the Secretary General of the North Atlantic Treaty Organization addressed to the Secretary-General of the United Nations

[Original: English]

In the light of the great importance the Alliance attaches to close cooperation with the United Nations in the struggle against terrorism, and following my letter of 25 June 2002 to Sir Jeremy Greenstock, Chairman of the United Nations Security Council Counter-Terrorism Committee, I would like to inform you on the significant decisions taken at the Prague Summit of Heads of State and Government relevant to the fight against terrorism.

As you are aware, while the Prague Summit was marked by the Alliance's historic decision to invite Bulgaria, Estonia, Latvia, Lithuania, Romania, Slovakia and Slovenia to begin accession talks to join the North Atlantic Treaty Organization (NATO), our Heads of State and Government also adopted a series of measures to strengthen our ability to counter the new threats of the twenty-first century. In so doing, they reiterated their steadfast commitment to the transatlantic link; to NATO's fundamental security tasks, including collective defence; to our shared democratic values; and to the Charter of the United Nations.

The Summit meeting was also an occasion for our Heads of State and Government to once again categorically reject and condemn terrorism in all its forms and manifestations and to underline their determination to combat this scourge for as long as necessary. Recalling the tragic events of 11 September 2001, and NATO's subsequent invocation of article 5 of the Washington Treaty, they approved a comprehensive package of measures, based on NATO's Strategic Concept, to strengthen our ability to meet the challenges to the security of our forces, populations and territory, from wherever they may come. These measures will ensure that NATO can better carry out the full range of its missions and respond collectively to those challenges, including the threat posed by terrorism and by the proliferation of weapons of mass destruction and their means of delivery.

In particular, the Alliance Heads of State and Government decided to:

- Create a NATO Response Force, which will have its initial operational capability as soon as possible, and at the latest by October 2004; and its full operational capability not later than October 2006;
- Streamline NATO's military command arrangements, making them leaner, more efficient, effective and deployable, with a view to meeting the operational requirements for the full range of Alliance missions;
- Approve the Prague Capabilities Commitment as part of the continuing Alliance effort to improve and develop new military capabilities for modern warfare in a high threat environment. Capabilities required for the full range of NATO's missions, including defence against terrorism, will be enhanced through this new commitment;
- Endorse a military concept for defence against terrorism. This concept sets out NATO's potential military role in leading or supporting operations or

conducting other activities in defence against terrorism. It is a part of a package of measures that also includes improved intelligence sharing and crisis response arrangements;

- Reiterate NATO's commitment, in cooperation with its partners, to fully implement the Civil Emergency Planning Action Plan for the improvement of civil preparedness against possible attacks against the civilian population with chemical, biological or radiological agents;

- Endorse the implementation of five nuclear, biological and chemical weapons defence initiatives, which will enhance the Alliance's defence capabilities against weapons of mass destruction;

- Strengthen our capabilities to defend against cyber attacks;

- Examine options for addressing the increasing missile threat to Alliance territory, forces and population centres.

With respect to the Euro-Atlantic Partnership Council's contribution to the global fight against terrorism, I fully shared Sir Jeremy Greenstock's assessment, when he met with the North Atlantic Council on 5 June, that the Euro-Atlantic Partnership Council could make a substantial contribution to the activities of the United Nations in the struggle against terrorism. It is therefore with great pleasure that I bring to your attention the Partnership Action Plan against Terrorism, a copy of which is enclosed herewith, as an initial contribution of the Partnership to the implementation of the United Nations Security Council resolution 1373 (2001). The Action Plan, elaborated by Allies and Partners, was welcomed by the Heads of State and Government of the Euro-Atlantic Partnership Council at Prague. In the days ahead, the Council will work on the implementation of the Partnership Action Plan against Terrorism, and I will keep you updated on our activities in this regard.

At Prague, our Heads of State and Government also welcomed the significant achievements of the NATO-Russia Council, in which NATO member States and Russia are working together as equal partners, making progress on a range of issues, including the struggle against terrorism.

NATO Heads of State and Government further decided to upgrade substantially the political and practical dimensions of our Mediterranean Dialogue and encouraged intensified practical cooperation and effective interaction on security matters of common concern, including terrorism-related issues.

They have also reiterated the Alliance's commitment to enhancing NATO-European Union cooperation, including in the light of events since 11 September 2001.

Let me take this opportunity to point out two other areas relevant to the United Nations that were addressed at Prague. As you know, NATO member States have already responded to the call of the United Nations Security Council to assist the Afghan Government in restoring security in Kabul and its surroundings. In a further sign of our commitment, NATO has agreed to provide support in selected areas for Germany and the Netherlands, which will jointly assume the leadership of the International Security Assistance Force following the United Kingdom of Great Britain and Northern Ireland and Turkey.

Concerning Iraq, NATO Heads of State and Government stated that the Allies stand united in their commitment to take effective action to assist and support the efforts of the United Nations to ensure full and immediate compliance by Iraq, without conditions or restrictions, with United Nations Security Council resolution 1441 (2002). They recalled that the Security Council, in that resolution, warned Iraq that it will face serious consequences as a result of its continued violation of its obligations.

Let me conclude by reiterating my appreciation of the cooperation between the United Nations and NATO in responding to the threat of terrorism and express my strong commitment to bring it closer.

I would appreciate if you could bring the present letter, as well as the Partnership Action Plan on Terrorism (see enclosure) to the attention of the members of the Security Council.

(*Signed*) George **Robertson**

Enclosure

[Original: English and French

PARTNERSHIP ACTION PLAN AGAINST TERRORISM

PREAMBLE

1. On 12 September 2001, the Member States of the Euro-Atlantic Partnership Council (EAPC) condemned unconditionally the terrorist attacks on the United States of America on 11 September 2001, and pledged to undertake all efforts to combat the scourge of terrorism.

2. Building on this commitment, member States of the Euro-Atlantic Partnership Council (hereinafter referred to as EAPC States) hereby endorse this Partnership Action Plan against Terrorism with a view to fulfilling their obligations under international law with respect to combating terrorism, mindful that the struggle against terrorism requires joint and comprehensive efforts of the international community, and resolved to contribute effectively to these efforts building on their successful co-operation to date in the EAPC framework.

3. EAPC States will make all efforts within their power to prevent and suppress terrorism in all its forms and manifestations, in accordance with the universally recognised norms and principles of international law, the United Nations Charter, and the United Nations Security Council Resolution 1373. In this context, they will in particular "find ways of intensifying and accelerating the exchange of operational information, especially regarding actions or movements of terrorist persons or networks" and "emphasise the need to enhance co-ordination of efforts on national, sub-regional, regional and international levels in order to strengthen a global response to this serious challenge and threat to international security."

4. EAPC States are committed to the protection and promotion of fundamental freedoms and human rights, as well as the rule of law, in combating terrorism.

5. EAPC States reaffirm their determination to sign, ratify and implement the relevant United Nations conventions related to the fight against terrorism.

6. EAPC States will co-operate in the fight against terrorism in the EAPC framework in accordance with the specific character of their security and defence policies and the EAPC/PfP principles of inclusiveness and self-differentiation. They will seek complementarity of their efforts in this framework with those undertaken by relevant international institutions.

OBJECTIVES

7. EAPC States co-operate across a spectrum of areas in the Euro-Atlantic Partnership Council and Partnership for Peace that have relevance to the fight against terrorism. These include *inter alia* political consultations, operations, issues of military interoperability, defence and force planning and defence reform, consequence management, including civil emergency planning, air defence and

airspace management; armaments co-operation; border control and security; suppression of financing of terrorism; prevention of arms and explosives smuggling; science; and arms control and non-proliferation. EAPC States stress that arms control and non-proliferation make an essential contribution to the global combat against terrorism, in particular by helping prevent the use of WMD. EAPC States stress in this context the importance of abiding by, and ensuring the effective implementation of existing multilateral instruments.

8. Through the Partnership Action Plan, EAPC States will identify, organize, systematize ongoing and new EAPC/PfP activities, which are of particular relevance to the international fight against terrorism.

9. The principal objectives of the Partnership Action Plan against Terrorism are to:

- Reconfirm the determination of EAPC States to create an environment unfavorable to the development and expansion of terrorism, building on their shared democratic values, and to assist each other and others in this endeavour.

- Underscore the determination of EAPC States to act against terrorism in all its forms and manifestations and their willingness to co-operate in preventing and defending against terrorist attacks and dealing with their consequences.

- Provide interested Partners with increased opportunities for contributing to and supporting, consistent with the specific character of their security and defence policies, NATO's efforts in the fight against terrorism.

- Promote and facilitate co-operation among the EAPC States in the fight against terrorism, through political consultation, and practical programmes under EAPC and the Partnership for Peace.

- Upon request, provide assistance to EAPC States in dealing with the risks and consequences of terrorist attacks, including on their economic and other critical infrastructure.

MECHANISMS

10. The Partnership Action Plan against Terrorism is launched under the authority of the North Atlantic Council after consultation with Partners in the EAPC.

11. The Partnership Action Plan against Terrorism is the first issue-specific, result-oriented mechanism for practical co-operation involving Allies and interested Partners, as foreseen in the Consolidated Report on the Comprehensive Review of the Euro-Atlantic Partnership Council and the Partnership for Peace.

12. This Action Plan will be implemented through EAPC/PfP mechanisms in accordance with the principles of inclusiveness and self-differentiation, and reflected in the Individual Partnership Programmes (IPP) or Individual Partnership Action Plan (IPAP) between NATO and Partners.

13. The North Atlantic Council, in consultation with Partners, will assess on a regular basis the progress in the implementation of the Partnership Action Plan against Terrorism and will review its contents, taking into consideration possible new challenges and circumstances in the international fight against terrorism.

14. The activities listed in the Partnership Action Plan against Terrorism will not prejudice other initiatives EAPC States may pursue in combating terrorism. EAPC States will continue to promote regional co-operation initiatives to combat terrorism and address new security threats and seek complementarity of these initiatives with efforts undertaken in the EAPC framework.

15. The participation of Mediterranean Dialogue Partners and other states in the activities foreseen in the Partnership Action Plan against Terrorism such as workshops, seminars and other activities may be considered on a case by case basis.

ACTION PLAN

16. The specific action items under this Partnership Action Plan against Terrorism are listed below; other items may be added later. Implementation of these activities will be subject to applicable national laws and regulations, the specific character of security and defence policies of EAPC States and the principles of inclusiveness and self-differentiation.

16.1. Intensify Consultations and Information Sharing

16.1.1. Political consultations. Allies and Partners will consult regularly on their shared security concerns related to terrorism. Allies will make efforts to inform Partners about, and/or seek their views on, issues related to international fight against terrorism, beginning from the early stages of Alliance discussions. Partners may seek, in accordance with agreed procedures, direct political consultations with NATO, individually or in smaller groups, on their concerns related to terrorism. The consultations and discussions will reflect key security concerns of Allies and Partners, if relevant to the fight against terrorism.

16.1.2. Information sharing. EAPC States will intensify their efforts to share information and views related to terrorism, both in EAPC meetings and in seminars and workshops held under EAPC/PfP auspices. Lead nations may be invited to organise such events. EAPC States note the establishment of an EAPC/PfP Intelligence Liaison Unit (EAPC/PfP ILU). They will promote, in accordance with their domestic laws, exchange of intelligence relevant to terrorist threats.

16.1.3. Armaments information sharing. EAPC States will share information on equipment development and procurement activities which improve their national capabilities to combat terrorism, in the appropriate groups under the Conference of National Armaments Directors (CNAD).

16.1.4. Scientific Co-operation in identifying and mitigating new threats and challenges to security. States in the EAPC Committee on the Challenges of Modern Society (CCMS) will exchange information within networks of national experts dealing with selected priority topics related to the prevention and mitigation of societal disruption. Both Partner and Allied experts will participate in these co-operative activities. Close contacts with other NATO bodies and international organizations, as well as the PfP Consortium of Defence Academies and Security Studies Institutes, will be maintained to seek complementarity of effort, identify critical gaps and to launch co-operative p[illegible]jects.

16.1.5. Civil Emergency Planning. EAPC States will share related information and actively participate in Civil Emergency Planning to assess risks and reduce vulnerability of the civil population to terrorism and WMD. This will include active participation in crisis management procedures.

16.2. Enhance Preparedness for Combating Terrorism

16.2.1. Defence and security sector reform. Partners will intensify their efforts to develop efficient, democratically controlled, properly-structured and well-equipped forces able to contribute to combat terrorism.

16.2.2. Force planning. Partners involved in the Partnership for Peace Planning and Review Process (PARP) will give priority, among others, to Partnership Goals aimed at improving their capabilities to participate in activities against terrorism. Such Partnership Goals will be identified within PARP and will also be communicated to Partners not participating in the PARP process – for information and to encourage equivalent efforts by non-PARP countries.

16.2.3. Air Defence and Air Traffic Management. Allies and Partners will co-operate in efforts undertaken by the NATO Air Defence Committee on air defence / air policing capability improvements and by the NATO Air Traffic Management Committee on civil-military Air Traffic Control co-ordination procedures' improvements in response to the new situation. They will contribute, based on national decisions, to the development of Air Situation Data exchange between Allies and Partners.

16.2.4. Information exchange about forces. EAPC States may consider to exchange information regarding forces responsible for counter-terrorism operations and facilitate contacts among them as appropriate.

16.2.5. Training and exercises. Partners will be invited to participate in training opportunities and exercises related to terrorism to be co-ordinated by SACEUR/SACLANT. To the extent possible, the Partnership Work Programme will provide more anti-terrorism related opportunities and activities in the field of training and exercises. Exercises will also be used to share experiences in the fight against terrorism.

16.2.6. Armaments co-operation. EAPC States will make use of NATO armaments co-operation mechanisms under CNAD, as appropriate, to develop common, or as a

minimum interoperable equipment solutions to meet the requirements of activities against terrorism.

16.2.7. Logistics co-operation. EAPC States will make use of NATO Logistics co-operation mechanisms under the Senior NATO Logisticians' Conference, as appropriate, to develop arrangements to provide effective and efficient support to activities against terrorism, including Host Nation Support.

16.3. Impede Support for Terrorist Groups

16.3.1. Border control. EAPC States will, through their bodies responsible for border control, enhance their efforts to prevent illicit movement of personnel and material across international borders. They will support assistance efforts in this area undertaken through Partnership for Peace. In this context, regional and international co-operation among them will be further encouraged.

16.3.2. Economic dimension. EAPC States will exchange information and views in the EAPC Economic Committee on the economic aspects of the international fight against terrorism, in particular on regulatory provisions barring the financing of terrorist activity and methods and sources of finance for terrorist groups.

16.3.3. Arms Control. EAPC States will continue their co-operation in the field of arms control and will consult on measures of effective control of weapons of mass destruction devices and safe disposal of Weapons of Mass Destruction (WMD) related substances and materials. They will also support the ongoing efforts to achieve an International Code of Conduct against Ballistic Missile Proliferation before the end of 2002.

16.3.4. Small Arms and Light Weapons. EAPC States will continue their exchange of information through the EAPC Ad-Hoc Group on Small Arms and Light Weapons on illicit trafficking in small arms, munitions, explosives, materials and technology capable of being used to support terrorism.

16.4. Enhance Capabilities to Contribute to Consequence Management

16.4.1. WMD-related terrorism. Partners will be invited to support and participate in NATO-led activities to enhance capabilities against WMD-related terrorism, and to share appropriate information and experience in this field according to procedures to be agreed.

16.4.2. Enhance co-operation in Civil-Emergency Planning. EAPC States will continue their co-operation in enhancing civil preparedness for possible terrorist attacks with WMD, including Chemical-Biological-Radiological-Nuclear weapons, by continuing to implement the Civil Emergency Planning Action Plan endorsed by the Senior Civil Emergency Planning Committee(SCEPC)/EAPC on 26 November 2001 and updated on 25 June 2002. In particular, Partners associate themselves with the efforts being undertaken within the SCEPC and its Planning Boards and Committees to work on all possible options to provide support, when requested, to national authorities against the effects of any terrorist attack, taking into account the

proposals endorsed by Alliance Foreign Ministers at their meeting in Reykjavik. This includes specifically:

- co-operation between civil and military authorities: identification and development of opportunities for co-operation between civilians and the military, including training and expertise, as well as reciprocal support.

- rapid response: an examination of how national rapid response capabilities could enhance the ability of EAPC States to respond, upon request by a stricken nation, to the consequences, for the civilian population, of WMD use, and how civilian expertise could contribute in this regard; and working with the SCEPC on ways to promote interoperability between those capabilities, and also on other possible measures, so that all options for EAPC States to respond either nationally or jointly remain available.

- general guidelines: non-binding general guidelines or minimum standards as regards planning, training, procedures and equipment that EAPC States could, on a voluntary basis, draw on.

- capabilities inventory: further development and refinement of the Inventory of National Capabilities in order to maximise its value.

- warning and detection: exploration, in co-operation with the NATO Military Authorities, of means to support national authorities in improving detection and warning of the population in case of WMD threats.

- network of laboratories: consider the establishment of a network of permanent laboratories and deployable facilities.

- medical protocols: support of the development of medical protocols which would improve co-ordinated response capability.

- an enhanced role for the Euro-Atlantic Disaster Response Co-ordination Centre: further improvement of EADRCC capabilities, including by the provision of national experts to ensure Allies' and Partner's ability to speedily, effectively and efficiently provide assistance to one another in case of a terrorist attack with WMD, including CBRN weapons.

- border crossing: signing up to the Model Agreement on the Facilitation of Vital Cross Border Transport Movements.

16.4.3 Military contribution to consequence management. EAPC States will consider providing information to SACEUR about military capabilities that may be available to contribute to the provision of immediate assistance to civil authorities if requested, particularly in respect of attacks using chemical, biological and radiological weapons.

16.4.4 Co-operation in non-classified scientific activities for reducing the impact of terrorism. States in the EAPC Science Committee will exchange scientific and technological knowledge on topics relevant to the fight against terrorism. In addition,

focussed co-operative activities will be conducted by experts from NATO's Security-Related Civil Science and Technology Panel to provide a better basis for mitigating terrorist activities. Partners which have extensive scientific capabilities in relevant fields will work effectively with NATO scientists in developing the scientific basis for reducing the terrorist impact. The Science Committee will advise the Council and other relevant committees on scientific aspects of terrorist activities, and will co-ordinate closely with NATO bodies conducting classified activities (including the WMD Centre and the Research and Technology Organisation).

16.4.5. Co-operation in equipment development and procurement. EAPC States will take advantage of CNAD groups to identify equipment requirements which support consequence management, after a terrorist attack, and where appropriate, co-operate on the development and/or procurement to meet these needs. Emphasis should be on dual use technologies which support both military and civil requirements.

16.5. Assistance to Partners' efforts against terrorism

16.5.1. Use of the Political Military Steering Committee (PMSC) Clearing House mechanism. Within the existing PMSC framework a focussed Clearing House meeting will be devoted, as appropriate, to the specific needs of Partner's related to combating terrorism.

16.5.2. Establish/contribute to PfP Trust Funds. Consistent with PfP Trust Fund Policy, EAPC States will consider the establishment of PfP Trust Funds to assist individual member states in specific efforts against terrorism, as envisaged in the Consolidated Report on the Comprehensive Review of the Euro-Atlantic Partnership Council and the Partnership for Peace. Such Trust Funds may be particularly relevant to Partners from Central Asia, the Caucasus and the Balkans. These projects will be implemented as a matter of priority.

16.5.3. Mentoring programmes. EAPC States will develop mentoring programmes for specific terrorism-related issues in order to share specific experiences in combating terrorism. Exercises in the spirit of PfP will also be actively used for sharing experiences in combating terrorism.

REPORTING

17. The Secretary General of NATO as Chairman of the Euro-Atlantic Partnership Council may report on the activities under the Partnership Action Plan against Terrorism to NATO and EAPC Foreign and Defence Ministers.

18. The Secretary General may communicate this document to the United Nations Security Council as an initial contribution of the Partnership to the implementation of the UNSCR 1373.

United Nations S/2003/66

Security Council

Distr.: General
24 January 2003
English
Original: Arabic

Identical letters dated 21 January 2003 from the Chargé d'affaires a.i. of the Permanent Mission of Iraq to the United Nations addressed to the Secretary-General and to the President of the Security Council

On instructions from my Government, I have the honour to transmit to you herewith the daily report for 21 January 2003 on the activities of the inspection teams of the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC) and the International Atomic Energy Agency (IAEA) in Iraq.

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(*Signed*) Mohammed **Salman**
Chargé d'affaires a.i.

03-22340 (E) 050203 050203

Annex to the identical letters dated 21 January 2003 from the Chargé d'affaires a.i. of the Permanent Mission of Iraq to the United Nations addressed to the Secretary-General and to the President of the Security Council

Activities of the IAEA and UNMOVIC inspection teams in Iraq

Report on inspection activities for Tuesday, 21 January 2003

I. IAEA inspection team

1. A first group, consisting of eight inspectors, left the Canal Hotel in Baghdad at 9.20 a.m. and arrived at 9.50 a.m. at the Iraqi Atomic Energy Organization at Tuwaythah. The group interviewed one of the material balance (nuclear) specialists and its leader ordered samples to be taken of liquid residues found in one of the concrete storage tanks. The group then examined the maps in the library and photocopied three of them. It used portable equipment to carry out a radiation survey of the passages and destroyed buildings in order to detect any radioactivity and then inspected the tagged equipment. It completed its assignment at 2.15 p.m. and arrived back at the Canal Hotel at 2.35 p.m.

2. A second group consisting of four inspectors left the Canal Hotel at 8.30 a.m. and arrived at 5 p.m. at the State Company for Petrochemical Industries of the Ministry of Industry and Minerals in Zubayr, Basra governorate. The group met the company's general manager and asked him about the number of employees, their technical specializations, the company's production, actual and planned capacity, as well as its electricity consumption. The group completed its mission at 7.30 p.m. and returned to the hotel at Basra.

II. UNMOVIC biological inspection team

1. A first group, consisting of 12 inspectors, left the Canal Hotel, Baghdad, at 8.35 a.m. and arrived at the Iba' Agricultural Research Centre in Abu Ghuraib at 9.30 a.m. Upon arrival at the site, the group asked the head of the Centre to halt all movement at the site. The group then met with a number of specialists at the site, requested a description of the site, inquired about the Centre's current activities, the qualifications of the staff working there, its organizational structure and cooperation with other services. The group asked whether the Centre had contacts with the Food and Agriculture Organization of the United Nations (FAO). It also inquired about any changes over the past four years. An in-depth discussion ensued on plant diseases and improved potato varieties. The group then inspected all the Centre's facilities and buildings, the declarations concerning the Centre as well as the tagged equipment. The group completed its mission at 12.10 p.m. and returned to the Canal Hotel in Baghdad at 12.55 p.m.

2. A second group, consisting of 10 inspectors, left the Canal Hotel, Baghdad, at 8.40 a.m. and arrived at the University of Baghdad Agricultural Faculty at Abu Ghuraib at 9.30 a.m. The group met with the Faculty's dean and inquired about the number of teaching staff with advanced degrees, the approximate number of students, the most important research carried out by the Faculty's researchers and cooperation with other bodies. The group inspected the advanced studies building and the food industries and plant protection departments.

III. UNMOVIC inspection team (II)

The team, consisting of four inspectors, left the Canal Hotel, Baghdad, at 9 a.m. and arrived at the ammunition storage warehouses at Taji, north of Baghdad, at 9.45 a.m. The team asked the site commander about the owner of the warehouses, then inspected one of them and tagged four empty 122-mm Grad missile warheads found by the National Monitoring Directorate during its investigations and reported to UNMOVIC. The team completed its mission at 12.35 p.m. and arrived back at the Canal Hotel at 1.10 p.m.

IV. UNMOVIC missile inspection team

A group of eight inspectors left the Canal Hotel, Baghdad, at 8.40 a.m. and arrived at 10.50 a.m. at Amiriyat al-Fallujah, 80 kilometres south-west of Baghdad, at one of the sites destroyed during the 1991 aggression which had been used for conducting static tests of solid-fuel missiles. The group inspected the site. It completed its assignment at 11.40 a.m. and returned to the Canal Hotel at 1.20 p.m.

A second group left the Canal Hotel, Baghdad, at 8.30 a.m. and arrived at 9.50 a.m. at the Fath missile engine testing facility in order to observe a test. The group photographed the engine and the test pad, watched the missile engine firing process and reviewed the site's file on static tests. The group completed its assignment at 12.30 p.m. and returned to the Canal Hotel at 1.45 p.m.

V. UNMOVIC joint inspection team in Mosul

The team left the Nineveh Palace Hotel at 9 a.m. and arrived at the lime factory located seven kilometres west of Mosul at 9.45 a.m. The team inspected the area and completed its assignment at 9.55 a.m.

VI. UNMOVIC multidisciplinary (chemical, biological and missile) inspection team

A team of 11 inspectors left the Canal Hotel in Baghdad at 11.30 a.m. for Basra. It went straight to the hotel in Basra and did not undertake any activities.

VII. UNMOVIC chemical inspection team

A team of 24 inspectors left the Canal Hotel in Baghdad at 8.30 a.m. and arrived at the Al-Qa'qa State Enterprise, a subsidiary of the Military Industrialization Corporation, at 9.30 a.m. The team interviewed a liaison officer and asked about the activities of the Enterprise and the sites that had been inspected by the inspection teams a few days previously. The team then inspected the production units department. One group took 13 samples and another interviewed holders of doctoral degrees, asking each of them to indicate their specific area of specialization, their thesis subject and the country where they had obtained their doctorate. All the group's questions were answered, although they had nothing to do with disarmament. The team completed its mission at 3.40 p.m. and arrived back at the Canal Hotel at 16.42 p.m.

United Nations S/2003/97

Security Council

Distr.: General
24 January 2003
English
Original: Arabic

Identical letters dated 22 January 2003 from the Chargé d'affaires a.i. of the Permanent Mission of Iraq to the United Nations addressed to the Secretary-General and to the President of the Security Council

On instructions from my Government, I wish to transmit to you herewith the daily report on the activities carried out by the inspection teams of the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC) and the International Atomic Energy Agency (IAEA) in Iraq on 22 January 2003.

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(*Signed*) Said Shihab **Ahmad**
Chargé d'affaires a.i.

03-22346 (E) 060203 060203

Annex to the identical letters dated 22 January 2003 from the Chargé d'affaires a.i. of the Permanent Mission of Iraq to the United Nations addressed to the Secretary-General and to the President of the Security Council

Activities of the IAEA and UNMOVIC inspection teams in Iraq

Inspection activities carried out on Wednesday, 22 January 2003

I. IAEA inspection team

Group I

A group of three inspectors left the Canal Hotel in Baghdad at 9.10 a.m. and arrived at the Taji Camp, where, using portable equipment, it performed a motorized radiation survey of the Camp that included the principal and side streets. The mission lasted approximately three hours, after which the group returned to the Canal Hotel in Baghdad.

Group II

A second group, composed of four inspectors, left the Sheraton Hotel in Basra at 9.15 a.m. and arrived at the office of the president of the University of Basra. Upon arriving, the group met the assistant president of the University and asked him questions about the number of colleges and sites belonging to the University, the names of research centres, the number of undergraduate and graduate students and the financing entity. The group next visited the College of Science and met with the dean of the College, questioning him about the number of students, the number of departments, the number of doctoral students, the College's acquisitions since 1998 and the purpose for which radiation sources are used. The group also visited the College of Engineering and met its dean, asking him questions about the number of College departments, the number of graduate students, the activity of the Naval Engineering Department, the College's budget and the financing entity. Lastly the group visited the College of Education and, meeting with its dean, questioned him about the number of College departments, the number of students, the size of the teaching staff and the number of radiation sources located in the College. The group visited a number of laboratories belonging to the Colleges mentioned above. At the end of the mission, which lasted approximately 5.5 hours, the group returned to the Sheraton Hotel in Basra.

Group III

A third group, composed of five inspectors, left the Canal Hotel in Baghdad at 11.30 a.m. and arrived at the State Company for Geological Survey, which belongs to the Ministry of Industry and Minerals and is located at Andalus Square in Baghdad. The group met an official of the Company and questioned him about radiation sources located in the Company and the names and locations of mines situated in Iraq. The group inspected the reconnaissance station, the laboratories and the library as well as the radiation source room. The mission lasted approximately 2.25 hours, after which the group returned to the Canal Hotel in Baghdad.

II. UNMOVIC inspection team (biological)

A team of nine inspectors left the Canal Hotel in Baghdad at 2.30 a.m. and arrived at the Institute of Technology in the Za'faraniyah district of Baghdad. The team met the dean of the Institute and asked him about the size of the teaching staff and the number of students. It also asked him whether graduate courses and courses in microbiological sciences were taught there. The team next visited the departments of Mechanics, Chemical Industries, Irrigation and Vehicles. The mission lasted approximately 3 hours, after which the team returned to the Canal Hotel in Baghdad.

III. UNMOVIC joint inspection team in Mosul

A team of eight inspectors left the Nineveh Palace Hotel at 9 a.m. and arrived at the Qayyarah refinery, which belongs to the North Oil Company. The team met with the director of the refinery and asked him questions about the ownership of the refinery, about some of the neighbouring buildings belonging to the North Gas Company and about production operations. The team then checked some of the equipment and inspected the refinery. The mission lasted approximately 2.5 hours, after which the team returned to the Nineveh Palace Hotel in Mosul.

IV. UNMOVIC inspection team (missiles)

A team of 16 inspectors left the Canal Hotel in Baghdad at 2.30 a.m. and arrived at the Badr State Company, which belongs to the Military Industrialization Corporation (MIC). The Company is located in the Yusufiyah area, 25 kilometres south of Baghdad. One group of team members inspected all the Company facilitates, while another met with the general manager of the Company and questioned him about the Company's production, in particular its products related to the Sumud and Fath missiles. The team then verified the declarations. The mission lasted approximately 3.5 hours, after which the team returned to the Canal Hotel in Baghdad.

V. UNMOVIC inspection team (chemical)

A team of 13 inspectors left the Canal Hotel in Baghdad at 9 a.m. and arrived at the Qa'qa' State Company, an MIC company located 50 kilometres south of Baghdad. The team met the Company's liaison officer and asked him about equipment and systems included under the monitoring regime and the origins of that equipment. The team then inspected the "Pfizer cellulose" [nitrocellulose?] production unit, the Research and Development Department, the nitric acid concentration plant and the raw material warehouse. It also inspected the Khalid plant, the Sa'd plant and the Tariq plant, checked the tagged items and took 13 samples and two swab samples of various materials. The mission lasted approximately 5.5 hours, after which the team returned to the Canal Hotel in Baghdad.

VI. UNMOVIC joint inspection team in Basra

The team left the Sheraton Hotel in Basra at 7 a.m. and arrived at the Ur State Company, an MIC company located in the city of Nasiriyah. The team met the general manager of the Company and asked him questions about the Company's activities, products and specialization. The team then took a tour around the Company enclosure, checked the Company's electricity consumption in previous years and requested a copy of one of the electricity bills. The mission lasted approximately 4 hours, after which the team returned to the Sheraton Hotel in Basra.

United Nations S/2003/88

Security Council

Distr.: General
24 January 2003
English
Original: Arabic

Identical letters dated 22 January 2003 from the Chargé d'affaires a.i. of the Permanent Mission of Iraq to the United Nations addressed to the Secretary-General and to the President of the Security Council

On instructions from my Government, I have the honour to refer to the monitoring plan established by Security Council resolution 715 (1991), under which Iraq is required to provide biannual declarations on the sites, equipment and materials which are subject to monitoring. The monitoring regime entered into force in full in August 1994 and has covered 595 sites in the various regions of Iraq. One of the conditions of the regime is that Iraq must provide biannual, quarterly and monthly declarations, and notifications and information on the basis of various criteria established for different purposes, submitted by the sites which are subject to the regime for the monitoring of chemical, biological, nuclear and missile activities. The most important part of the required declarations is the biannual report which is submitted in mid-January and mid-July each year. This declaration includes the name of the site, its owner, its geographical location, its activities, the sources of financing of the site, a description of the equipment and machinery at the site and the materials subject to monitoring, the general activities of the site and site plans. The monitoring teams periodically visit the sites which are subject to monitoring in order to verify the declarations and the activities conducted at the site.

Since the entry into force of the monitoring regime in 1994, Iraq has consistently provided its biannual declarations, but it had to stop sending them when the inspectors left Iraq on 15 December 1998 on the orders of the United States of America, which had threatened Iraq with a wide-ranging United States-United Kingdom attack.

After Iraq decided to renew cooperation with the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC), on 16 September 2002, the National Monitoring Directorate resumed the submission of biannual declarations on the activities of the sites which are subject to monitoring. The biannual declarations for the period 1998-2002 were submitted during the technical discussions which the Iraqi delegation conducted in Vienna on 1 October 2002 with Mr. Hans Blix and Mr. Mohamed ElBaradei.

Pursuant to its obligations to provide biannual declarations on the schedule dates, the National Monitoring Directorate, on 14 January 2003, sent to the Baghdad Monitoring, Verification and Inspection Centre Iraq's biannual declarations for the

03-22328 (E) 040203 050203

period from July 2002 to January 2003, which contain the information requested in relation to the activities of the various sectors, as indicated below.

1. Chemical activities

The number of sites on which declarations have been provided is 128, and the volume of data supplied is 3.07 megabytes.

2. Biological activities

The number of sites on which declarations have been provided is 96, and the volume of data supplied is 60 megabytes.

3. Missile activities

The number of sites on which declarations have been provided is 57, and the volume of data supplied is 17.4 megabytes.

4. Nuclear activities

The number of sites on which declarations have been provided is 176, and the volume of data supplied is 15.6 megabytes.

Thus, Iraq has provided an updated report on the activities which are subject to the monitoring regime, conducted at 457 sites, and the volume of information is 96.29 megabytes on CD-ROMs.

Iraq's provision of these complete and detailed declarations confirms its desire to continue to fulfil its obligations to the letter, in cooperation with UNMOVIC and the International Atomic Energy Agency (IAEA), so that it can be verified that Iraq is free from weapons of mass destruction, the first step towards a full settlement of the issue, which includes the lifting of the total embargo imposed on Iraq and respect for Iraq's national security and regional security, including the full disarmament of Israeli weapons of destruction, pursuant to paragraph 14 of resolution 687 (1991).

I should be grateful if you would arrange for the text of this letter to be circulated as a Security Council document.

(Signed) Sahid Shihab **Ahmad**
Charge d'affaires a.i.

United Nations S/2003/89

Security Council

Distr.: General
24 January 2003
English
Original: Arabic

Letter dated 23 January 2003 from the Chargé d'affaires a.i. of the Permanent Mission of Iraq to the United Nations addressed to the Secretary-General

On instructions from my Government, I have the honour to transmit to you herewith a letter dated 22 January 2003 from Mr. Naji Sabri, Minister for Foreign Affairs of the Republic of Iraq, concerning United States practices that are intended to destabilize regional peace and security in the Arab Gulf region and to threaten civilian commerce, ports and ships transporting oil.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(*Signed*) Said Shihab **Ahmad**
Chargé d'affaires a.i.

03-22334 (E) 050203 050203

Annex to the letter dated 23 January 2003 from the Chargé d'affaires a.i. of the Permanent Mission of Iraq to the United Nations addressed to the Secretary-General

As an example of the aggressive practices of the United States of America that are intended to destabilize regional peace and security in the Arabian Gulf region and to threaten civilian trade, ports and ships transporting oil, on 2 November 2002 a United States warship navigating in the Arabian Gulf against the wishes of the people of the region approached the Iraqi oil exporting port of Mina al-Bakr and launched two rubber boats which approached the port and from which photographs were taken of the installations. Another warship approached the Iraqi oil exporting port of Mina Khawr al-Amaya and launched a rubber boat from which a vessel bearing the ship's emblem was affixed to the arm of the port.

Provocations by units of the United States Navy against ports exporting Iraqi oil and against ships carrying Iraqi civilian cargoes in the Gulf are acts of aggression that endanger the movement of civilian shipping, including the oil trade, and imperil the security of Iraqi oil exports. The aggressive conduct by the United States fleet navigating in the Gulf infringes the laws on the sanctity of trade and maritime navigation and will impair regional security and the security of the oil supply for which the United States bears full legal responsibility.

We appeal to you to intervene to prevent such acts of aggression and terrorism by the United States in the Arabian Gulf, especially acts that endanger oil supplies, and to make strenuous efforts to put pressure on the United States of America to induce it to cease its hostilities and to withdraw its aggressive fleet without delay from the Arabian Gulf.

(Signed) Naji **Sabri**
Minister for Foreign Affairs